HOUSE OF REPRESENTATIVES.

MONDAY, *February 27, 1911.*

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA BUSINESS.

Mr. SMITH of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. SMITH of Michigan. To make a motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair can not recognize the gentleman at this time for that purpose, as the Chair is notified that a conference committee desires to make a report.

Mr. SMITH of Michigan. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. Certainly.

Mr. SMITH of Michigan. If there are some conference reports to be disposed of, does that necessarily debar us from having District day after they are disposed of?

The SPEAKER. The House at any time can determine what business it desires to consider, but with the enrollment of the appropriation bills just in front of us, and all of them practically to be settled, the Chair must take notice of the status of the public business. The House can, if it desires, refuse to consider a conference report.

Mr. DALZELL. Mr. Speaker, I intended to call up this morning a privileged bill from the Committee on Ways and Means, but I cheerfully give way for the conference report; but following that I propose to call up my bill.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. GILLETT. Mr. Speaker, I call up the conference report on the bill (H. R. 29360) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes, and ask unanimous consent that the accompanying statement may be read in lieu of the conference report.

The SPEAKER. The gentleman from Massachusetts calls up a conference report and asks unanimous consent that the statement accompanying the conference report may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the statement.

The Clerk read the statement.

(For conference report and statement see RECORD of Saturday, February 25, 1911, page 3444.)

Mr. GILLETT. Mr. Speaker, I move that the House agree to the conference report.

The SPEAKER. The gentleman from Massachusetts moves that the House agree to the conference report.

Mr. GILLETT. Mr. Speaker——

Mr. FITZGERALD. Mr. Speaker, I make the point that there is no quorum present. We ought to have a quorum.

The SPEAKER. The gentleman from New York makes the point of order that there is not a quorum present. The Chair will count. [After counting.] One hundred and thirty-seven gentlemen are present—not a quorum.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

Mr. GILLETT. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ames	Esch	Hitchcock	Malby
Andrus	Fassett	Hollingsworth	Maynard
Ansberry	Focht	Howard	Millington
Ashbrook	Foelker	Huff, Pa.	Moon, Pa.
Barchfeld	Fordney	Hughes, W. Va.	Moon, Tenn.
Bates	Fowler	Hull, Iowa	Moore, Tex.
Boutell	Gallagher	Joyce	Morehead
Bowers	Gardner, Mass.	Kinkaid, Nebr.	Morgan, Okla.
Bradley	Gardner, N. J.	Lafean	Mudd
Burke, Pa.	Garner, Pa.	Langley	Murdock
Burleigh	Gill, Md.	Latta	Murphy
Byrd	Gill, Mo.	Law	Palmer, H. W.
Capron	Glass	Legare	Parsons
Clark, Fla.	Goebel	Lindsay	Patterson
Coudrey	Goldfogle	Lively	Plumley
Cravens	Hanna	Livingston	Pou
Crow	Haugen	Lowden	Pratt
Davidson	Havens	McDermott	Prince
Davis	Hayes	McGuire, Okla.	Ransdell, La.
Denby	Heald	McHenry	Reid
Durey	Higgins	McKinley, Ill.	Rhinock
Elvins	Hinshaw	McLachlan, Cal.	Riordan
Rucker, Colo.	Smith, Cal.	Sulzer	Weeks
Sabath	Smith, Iowa	Swasey	Weisse
Sherley	Snapp	Taylor, Ohio	Willett
Slemp	Southwick	Thomas, Ohio	Wood, N. J.
Small	Sperry	Wallace	Woodyard

The SPEAKER. The roll call shows 273 Members present, including the Speaker—a quorum.

Mr. GILLETT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to, and the doorkeepers were directed to open the doors.

Mr. GILLETT. Mr. Speaker, the conferees of the Senate and the House have come to a complete agreement, except upon one item, the assay office in North Carolina. That will be taken up after the conference report is considered. The conference report, although it was not required to be printed, was included as a part of my remarks on Saturday last, and Members will find it on page 3444 of the RECORD. The statement has just been read.

It seems to me the only item that the House has shown interest in, and which I should expect would excite attention now is the salary of the Secretary to the President. Members will remember that the Senate put on an amendment raising it from $6,000 to $10,000. The House disagreed to that amendment. It went back to conference and the conferees have now compromised, raising it from $6,000 to $7,500. Whether that will meet the views of the House, of course I can not tell. Inasmuch as I was in favor of $10,000, I am in favor of $7,500. If any Member desires to debate that question I will be glad to yield to him.

Mr. FITZGERALD. I would like five minutes.

Mr. GILLETT. I will yield five minutes to the gentleman from New York.

Mr. FITZGERALD. Mr. Speaker, the action of the conferees is a distinct repudiation of what were practically the instructions from the House. This is the second instance in which the conferees upon this bill have ignored the action of the House upon specific items.

When the conference report was before the House on the 16th of February, the gentleman from Massachusetts moved to recede and concur in the Senate amendment which fixed the compensation of the Secretary to the President at $10,000 per year. Upon a division taken on that question, 52 Members voted in favor of the motion and 130 Members voted in opposition to it. The RECORD shows that the gentleman from Massachusetts then asked for tellers, and not a sufficient number of Members arose to give tellers on the vote. The RECORD then shows that the following transpired:

Mr. FITZGERALD. Mr. Speaker, I move that the House adhere.

Mr. MANN. Oh, no; it is proper to leave it to the conferees; the conferees will understand this, and I will say to my friend from New York that if it ever comes back I will stand by him.

Mr. FITZGERALD. We might as well settle it now.

Mr. MANN. I do not think it is fair to the conferees.

Mr. FITZGERALD. Very well, Mr. Speaker, I will withdraw the motion. I will move that the House further insist on its disagreement to the two Senate amendments.

The question was taken, and the motion was agreed to.

Mr. Speaker, unquestionably a great majority of the House would have voted in favor of the motion to adhere to the House disagreement to the Senate amendment, and that amendment would never have gone back to conference if the motion had been insisted upon; but it was not insisted upon, out of courtesy to the conferees on the part of the House, and in the belief that they would represent the sentiment of this House and not recede on an item upon which there had been such a substantial vote in opposition.

The gentleman from Massachusetts has not the excuse on this occasion usually given by conferees, that this is a complete agreement upon this bill, and that it is necessary to effect a compromise in order to complete the work. They report back in disagreement four amendments upon which the House and Senate can not agree. There is no excuse whatever, publicly given, for the failure of the conferees to respect the sentiment of the House upon this occasion.

Mr. Speaker, if the House is to pass upon the compensation of this official, it should be given an opportunity to do it, if the conferees could not have agreed. I insist that the conferees had no right, in view of the record, to have made any compromise or to have taken any action not in harmony with the sentiment of the House.

Mr. Speaker, I do not intend to enter into a lengthy discussion as to any merit there may be about this proposition; but when the Secretary to the President appeared before the Committee on Appropriations asking authority to reorganize the White House staff he never suggested or intimated any increase in compensation of the position occupied by him, and

the matter has never been presented to any committee of this House.

I am opposed to having items inserted in this way in the Senate and have the House surrender its attitude simply because some gentlemen think they know more than the House does about what it desires. I hope the conference report will be voted down and this item will be sent, with other items in disagreement, back with the notice that the House will not yield its position on this matter.

Mr. GILLETT. Mr. Speaker, I do not think the criticism of the gentleman from New York [Mr. FITZGERALD] upon the conferees is just. It is quite true the House did express itself decisively against the salary of $10,000, but it does not follow that the House would be equally opposed to a salary of $7,500, the same salary that Members of Congress receive, for an office which, I think, all of us will feel requires as much varied ability and more work than is involved in membership of the House. Therefore we bring it back to the House to decide whether $7,500 shall be allowed. I wish to say in this connection that the statement in the press, which Members doubtless saw yesterday or to-day, that the Secretary to the President has been selected, is not authorized and is not correct. The criticism of the gentleman from New York that this proposition was not brought before the Committee on Appropriations when the readjustment of salaries was made is also unfair, because at that time it was not known that the present secretary was to leave his place. Consequently the need of a change in salary was not appreciated, but since then, when this present secretary announced he would retire, and it was found that it was necessary for the President to get a new secretary, then the salary became a live question, and the administration found that to get the person it wanted required an increase in the salary. I think this increase to $7,500 is reasonable.

Mr. FOSTER of Illinois. Does the gentleman from Massachusetts think that there is any difficulty in securing a proper man at a salary of $6,000 a year?

Mr. GILLETT. I would not say that it is impossible. Nobody knows that. I do think that we will be more likely to get a proper man for $7,500 than for $6,000.

Mr. FOSTER of Illinois. May I ask the gentleman what the salary of the Assistant Secretary of the Treasury now is?

Mr. GILLETT. I think it is $5,000.

Mr. MANN. Four thousand five hundred dollars.

Mr. TAWNEY. Five thousand dollars. It was increased two years ago.

Mr. FOSTER of Illinois. There is no difficulty in securing a man for that position, is there?

Mr. GILLETT. Of course there is no difficulty in securing a man at $6,000 as Secretary to the President. We undoubtedly will have a Secretary to the President, no matter what the salary is. What we want is to get the best man.

Mr. BARTLETT of Georgia. Is there any difficulty in obtaining a competent man as Assistant Secretary of the Treasury at $5,000 a year?

Mr. GILLETT. I think it would be difficult to get the most competent man for that salary.

Mr. BARTLETT of Georgia. The gentleman does not mean to say that the present Assistant Secretary of the Treasury, Mr. Hilles, is not a very competent man.

Mr. GILLETT. For what?

Mr. BARTLETT of Georgia. Assistant Secretary of the Treasury.

Mr. GILLETT. Oh, I think he is. He has proved himself an unusually competent man.

Mr. BARTLETT of Georgia. I think so. Now, does it require a more competent and efficient man to be Secretary to the President than to be Assistant Secretary of the Treasury?

Mr. GILLETT. He has proved himself so competent that he has been lured away from that office—and I do not think that I am saying anything that is confidential—to a very much more remunerative place outside of the Government.

Mr. BARTLETT of Georgia. That is generally the way when they school themselves in that position, not simply altogether on account of competency.

Mr. GILLETT. Oh, I do not agree with the gentleman. I think they show their competency there and then prove they are worth a very much larger salary than we pay them, and therefore the Government loses valuable services.

Mr. MADDEN. As a matter of fact, Mr. Speaker, I desire to say, for the information of the gentleman from Massachusetts, that the man who occupies the place as Secretary to the President now was getting $50,000 a year before he took that job.

Mr. GILLETT. I do not know whether that is true or not.

Mr. MADDEN. Well, that is true.

Mr. GOULDEN. Mr. Speaker, I am surprised to hear that the newspaper reports are not correct as to the appointment of Mr. Hilles. I know him well, and want to say that he is eminently qualified for any position, and especially as Secretary to the President, and I will be ready to vote for even $10,000 a year salary to a man of his splendid qualifications.

Mr. BARTLETT of Georgia. After he has been Secretary to the President for, say, a year or two, at $7,500, would he not be very likely to be offered a more remunerative position in private life than $10,000 a year? Have we got to place people in positions where they can get better salaries in private life by increasing their salaries in public life?

Mr. GILLETT. Why, we are not educating them; we are simply giving them an opportunity to show their quality. I do not think we want to do that.

Mr. HARDY. Will the gentleman permit me a suggestion? Does not the gentleman know it is frequently the case that a valuable servant of the State, the secretary of railroad investigating boards, like the State boards of commerce or Interstate Commerce Commission, or something of that kind, when these men get thoroughly competent by their knowledge of the affairs of corporations to enable them to serve the public, then they are offered unreasonable and unusually large sums to take them away from the service of the State?

Mr. GILLETT. Oh, no; I do not know that. Mr. Speaker, as to the suggestion of the gentleman from New York [Mr. FITZGERALD] that this is not an entire agreement, and therefore it might as well be sent back, because we have got to go back anyway, I think it is a mistaken statement, because this is a complete agreement except as to one small item; and if the House, as I hope it will, disagrees to the Senate amendment to that item, I am very confident that the Senate, when it goes back to them, will recede from it and then we will have a complete agreement.

Mr. PUJO. Will the gentleman answer me one question?

Mr. GILLETT. Certainly.

Mr. PUJO. I ask this question for information: How much does the clerk to the Committee on Appropriations get a year?

Mr. GILLETT. Four thousand five hundred dollars.

Mr. PUJO. Four thousand five hundred dollars? That is his salary for a year?

Mr. GILLETT. Then he gets $2,000 extra.

Mr. PUJO. That is $6,500. As a matter of fact, does he not perform nearly all the labor necessary in the preparation of the appropriation bills, the great supply bills of this House?

Mr. GILLETT. Yes; he has a great part of that preparation to do.

Mr. PUJO. How long has he been in that position?

Mr. GILLETT. About 30 years, I think.

Mr. PUJO. Each administration keeps him in that position?

Mr. GILLETT. Yes.

Mr. PUJO. Does not the gentleman believe that his employment or the services performed by him are of more value to the American people than that of secretary or clerk to an executive officer?

Mr. GILLETT. I do not wish to enter into a comparison. I have the very highest admiration for the clerk to the Committee on Appropriations; he is invaluable in that position; but it does not require services which command so high a remuneration outside as the peculiar qualities which are required for a successful Secretary to the President. I now yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to call attention to a provision of this conference report, which may be said, in a measure, to repair an injustice done by the first report, but which nevertheless falls far short of doing real justice to certain underpaid Government employees. My colleague from Wisconsin [Mr. KOPP], when the first report was before the House, called attention to some of the items which had been agreed upon by the Senate and House conferees. That report showed, as this one shows, how employees of the rank and file are neglected and discriminated against. Here is a copy of the first report. I ask attention to some of its provisions. For example, it provides an increase for a chief clerk from $3,000 to $4,000—a one-thousand-dollar increase for a man receiving a salary of $3,000. I do not object to that increase. Perhaps he is worth it. Yet it is true that he was already receiving a pretty fair salary. But what follows? To this I ask especial attention. Immediately after the $3,000 clerk's $1,000 increase is this—I read from the report—

five firemen at $660, instead of $720, each, as proposed by the Senate.

The Senate, it seems, wished to give the firemen $720 each, but the House conferees objected. Finally all the conferees

agreed on $660. These five firemen were to receive only $55, instead of $60, a month each. Refuse them even the little salary of $60 a month, but give a $3,000 man $1,000 more!

However, this time the conferees have reported a provision for eight firemen at $720 each. The suggestion of my colleague seems to have had some effect. This is a slight improvement. It increases the salary of each of these men $60 a year, and yet the total annual salary of $720 is grossly inadequate. The Government of the United States has no business to pay only $60 a month to any reputable man regularly employed in this service. No man can live as a white man, nor as a black man ought to live, in the city of Washington, provide for his family, buy fuel and food and clothing, and perhaps pay rent and now and then a doctor's bill on $15 a week. It is the duty of this Government to pay a decent living wage to every man and woman in its employ.

I am assured by my friend, the gentleman from New York [Mr. GOULDEN], that no watchman employed by the city of New York receives less than $900 a year. But the Government of the United States, the richest—yes, vastly the richest—employer in the world, pays its watchmen only $720 a year, and they work—at least some of them do—every day in the year.

Mr. FITZGERALD. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. FITZGERALD. Does the gentleman know why we can not afford to pay those men more?

Mr. COOPER of Wisconsin. Well, I have an idea.

Mr. FITZGERALD. We are too busy wasting our money in other enterprises. We have got to defend the country and the canal and build ships and all that.

Mr. COOPER of Wisconsin. Now, it is true that not all Government employees are underpaid, though many of them are; but I ask the candid judgment of every man on this floor as to whether it is right that the Government of the United States should pay watchmen who work every day in the year, including Sundays, as one of them told me last week he did, only $60 a month. My attention has only recently been called to this subject. One of these watchmen mentioned it to me. He has a wife and four children. Week before last he said to me: "Mr. COOPER, I do not know that I ought to speak to you about it, but I have used up my little savings, and it worries my wife and me almost to death to know what to do. I can not go into anything else; I have no other business. I get only $60 a month. The price of living is going up so that we barely can keep soul and body together."

He is an employee of the United States Government in this city in one of the most magnificent buildings in the world.

There are many Government clerks and other employees whose wages are too small.

Now, a man is not necessarily a demagogue because he speaks here as a friend of these underpaid men and women. Advocates of better wages for these people are not demagogues. This is a question of simple justice. It is utterly wrong for the United States Government to have any person work for it in any capacity for the meager, inadequate pay now received by many in its employ. When the opportunity comes, I shall do what I can to help get adequate salaries for the faithful body of Government employees. [Applause.]

Mr. GILLETT. I yield to the gentleman from Illinois [Mr. MANN] five minutes.

Mr. MANN. Mr. Speaker, the gentleman from Massachusetts a moment ago stated he had been in favor of increasing the salary of the Secretary to the President to $10,000 a year, and therefore, of course, he was in favor of the present proposition of $7,500. I do not agree with him. I was in favor of increasing the salary of the Secretary to the President to $10,000. I would be in favor of increasing the salary of the secretary to $15,000, but not to $7,500. The idea in my mind as to increasing the salary to a large amount is in order to make the Secretary to the President practically an assistant to the President and receive such a salary that he would be on a plane where he could send for Cabinet officers receiving a salary of $12,000 a year and give to them directions when necessary, so that he might help the President in performing the manifold and numerous duties which are imposed upon him. But when it comes to merely increasing the salary from $6,000 to $7,500, that reason does not prevail. This is like any other increase. The Secretary to the President now receives a salary of $6,000. He receives an automobile allowance, which amounts, probably, to $2,500 a year. He is provided, like the Cabinet officers and the President, with transportation, which no other official of the Government receives. And the salary of $6,000 with those allowances ought to obtain, and have obtained, the services of an efficient secretary to perform the duties which are now imposed upon the Secretary to the President. And to merely increase the amount to $7,500 would not in any respect change the character of the secretary or the character of the duties imposed upon him.

Mr. DOUGLAS. Will the gentleman yield to a question?

Mr. MANN. Certainly.

Mr. DOUGLAS. Can the gentleman inform the House how long the Secretary to the President has received $6,000?

Mr. FITZGERALD. About three or four years. It was raised from $5,000 three or four years ago.

Mr. DOUGLAS. Does not the gentleman think the ordinary duties of the President's secretary are increasing yearly very much, indeed?

Mr. MANN. Undoubtedly; they have increased very much, because the work performed by the President is increasing.

Members of Congress and everybody else want to go to see the President personally. They are not satisfied to see a $6,000 secretary. They would not be satisfied to see a $7,500 secretary. They would be satisfied to see an assistant President who could give directions to Cabinet officers. But that question is not before us.

Mr. GILLETT. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. YOUNG.]

Mr. YOUNG of New York. Mr. Speaker, I want to take this opportunity to register my serious protest against the salaries that are being paid to the employees of the Government. Mr. COOPER has brought out here the fact which has been running through my mind constantly since I have been in this House, that there are hundreds and thousands of men who are in the employ of the Government who are being paid beggarly salaries, salaries inadequate to keep them decently and support their families or to enable them to do their work efficiently. I have been surprised constantly to find men working for the Government at salaries so meager that it seemed almost impossible for them to keep soul and body together.

In the city of New York or in any other of the great cities of this country men are being paid more whose services are not so valuable, whose work is not so important, as that of those who are employed by the Government in the city of Washington. I say that $720—and in a number of cases I find on the roll people employed at salaries as low as $600 a year—is an insult to the people of this country. There are those here who have stood up for organized labor in a manly, honest, and energetic way, to see that it is properly taken care of. Here is a great body of employees of the Government who have no organization, who have no protection, who are dependent upon the action of this House to give them an adequate amount to live on.

Now, I want to speak of the Assistant Secretaries of the Treasury and of the Secretary to the President. There are three men who are Assistant Secretaries of the Treasury who are worth twice as much as they are being paid, and who could earn twice or three times as much as they now receive if they were in private employment. The Secretary to the President came into the position at a much less compensation than he had been earning.

Some say he had been receiving $30,000 or $40,000 a year and that he sacrificed a very large income to come into the service of the President of the United States at a salary of $6,000 a year. It is proposed now—or the newspapers have stated—that one of the Assistant Secretaries of the Treasury is to be taken from that position and appointed as Secretary to the President. I say to you, as to that gentleman, that he is worth $10,000 or $15,000 or $20,000 a year in private life. I tell you the great corporations and the large individual employers doing a great business need such men. Men become competent, men become qualified, and are just at their most useful point when they are taken from the service of the Government by individuals and corporations, and I say this office of Secretary to the President is worth $7,500 if it is worth anything. There is hardly any gentleman in this House who would take it for the money that is in it, and those who do take the office take it for the honor and not for the compensation.

Now, I ask gentlemen on both sides of this House to be fair to the Government employees, to pay them something like what they are worth, and not fix an arbitrary rule, as has been done here—that any man who is paid $1,200 or more shall not be advanced. I think this is unreasonable and unfair. I think the salary of the Secretary to the President should be made $7,500 a year at least. [Applause.]

Mr. Speaker, I yield back the balance of my time.

Mr. GILLETT. Mr. Speaker, I yield to the gentleman from Missouri three minutes.

Mr. RUCKER of Missouri. Mr. Speaker, I have been somewhat interested in the debate that has taken place on this proposition to raise the salary of the Secretary to the President

from $6,000 to $7,500 per year. Gentlemen on the other side of the aisle, as an argument in favor of this increase, have called attention to the woeful condition of Federal employees in and about the city of Washington. I want to suggest Mr. Speaker, that it comes a little late and with poor grace from the Republican majority on this floor, the party that has been in absolute control of the legislative machinery of this Government for 16 years, at all times having a strong partisan majority on this floor, with every opportunity and facility, with nothing wanting except inclination, to introduce and pass bills which would relieve the condition of these employees who are drawing meager salaries, and yet have stubbornly failed and refused to do one thing looking toward the alleviation of the condition of those for whom they pretend to plead, though the proposed amendment has no reference to them. After this Republican majority has been driven from place and power in the expiring moments of this session they seek to go before the country with a plea in favor of men who work for small salaries.

It would have been more commendable and doubtless more gratifying to employees in the departments of the Government if our Republican friends who are now such firm advocates of higher wages for the poor man had made an effort in that direction while they had the power and when they could have carried some relief to the underpaid clerks in Washington. [Applause.]

It looks to me like this is a mere play to the galleries. If gentlemen are in earnest about it, why have you not taken action before? You gentlemen who favor an increase of big salaries have had the power at every session of Congress to recommend increases of salaries for those who are drawing the small salaries. But we heard nothing of it until now, when a different political party is about to assume responsibility in this House, and now gentlemen who have been indifferent to the appeals of the low-salaried clerks during all the time they have been in control of legislation fall upon the necks of their fellows and weep over the condition of the unfortunate clerks. [Applause.] It looks to me like hypocrisy, and I want to be very mild in my language—in fact, I am always mild. [Laughter.]

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

The SPEAKER. The time of the gentleman from Missouri has expired and the gentleman has no time to yield.

Mr. RUCKER of Missouri. If I am given time I will gladly answer the gentleman.

Mr. GILLETT. I yield five minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, I favored the increase of the salary of the Secretary to the President from $6,000 to $10,000, and I am in favor of this increase, it not being possible to secure the former recommendation. I favor this because no matter who the man is that performs that service he stands in that class of relationship with the President of the United States that he is entitled to all the salary that Congress will appropriate for the office.

I said in discussing this item before that we make a mistake, and some of us are doubtless prejudiced against the increase because of the title which this office carries. The title of secretary to anybody does not imply independent responsibility, executive or administrative authority. It does not imply executive ability and executive responsibility. We are too apt to form our judgment of what compensation should be allowed by the title of the office rather than by the duties and responsibilities of that office.

Mr. Speaker, the duties of the President of the United States are being increased constantly by the Congress of the United States. We at every session of Congress impose upon him executive work and responsibility not with the idea that he himself will personally superintend the doing of that work, but with the knowledge of the fact that it will be necessary for him to delegate the discharge of these duties to some subordinate.

I agree with the gentleman from Illinois that the President of the United States should have a man there with experience, both legislative and executive, capable of discharging almost any duty that the President of the United States is required to discharge. But the President will never be able to get a man of that character, a man of that experience, as long as the title of "secretary" is retained. I do not believe that if you were to make the salary $15,000 or $20,000 a year that it would be sufficiently attractive to any man who is capable, who has the experience and the judgment that a man should have to act as assistant to the President of the United States. You must make the title to the position so that it will imply executive authority, so that it will imply responsibility, and then you will attract men who are capable of discharging these duties and responsibilities that from time to time are placed upon the President of the United States and which must be delegated by him in the very nature of things.

Mr. FITZGERALD. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. FITZGERALD. How long has the gentleman entertained these views that it is necessary to increase the salary?

Mr. TAWNEY. I have entertained them for some time.

Mr. FITZGERALD. The gentleman has been in a position where he might have brought some recommendation into the House and made this speech on a bill properly before the House, but he has been suspiciously silent.

The SPEAKER. The time of the gentleman has expired.

Mr. GILLETT. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 122, noes 115.

Mr. FITZGERALD. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 151, nays 145, answered "present" 7, not voting 81, as follows:

YEAS—151.

Adair	Durey	Howell, Utah	Palmer, H. W.
Alexander, N. Y.	Dwight	Hull, Iowa	Parker
Anthony	Edwards, Ky.	Johnson, Ohio	Payne
Austin	Ellis	Keifer	Pickett
Barclay	Elvins	Keliher	Pray
Barnard	Englebright	Kinkaid, Nebr.	Reeder
Bartholdt	Estopinal	Knapp	Roberts
Bennet, N. Y.	Fairchild	Knowland	Rodenberg
Bingham	Fassett	Kopp	Rucker, Colo.
Boutell	Focht	Kronmiller	Scott
Bradley	Fordney	Küstermann	Sharp
Broussard	Foss	Langham	Sheffield
Burke, S. Dak.	Foster, Vt.	Legare	Simmons
Burleigh	Fuller	Livingston	Slayden
Burleson	Gardner, Mich.	Longworth	Slemp
Butler	Gardner, N. J.	Loud	Sperry
Calder	Gillett	Loudenslager	Sterling
Calderhead	Good	Lowden	Stevens, Minn.
Carlin	Goulden	McCall	Sturgiss
Carter	Graff	McCreary	Sulloway
Cassidy	Graham, Ill.	McCredie	Swasey
Cocks, N. Y.	Graham, Pa.	McGuire, Okla.	Talbott
Cole	Grant	McKinlay, Cal.	Tawney
Cooper, Pa.	Greene	McKinley, Ill.	Taylor, Ala.
Cooper, Wis.	Griest	McKinney	Taylor, Ohio
Cowles	Guernsey	McLaughlin, Mich.	Thomas, Ohio
Cox, Ohio	Hamer	McMorran	Tilson
Creager	Hamilton	Madden	Townsend
Crow	Hanna	Madison	Volstead
Crumpacker	Haugen	Martin, S. Dak.	Vreeland
Currier	Hawley	Massey	Washburn
Dalzell	Hayes	Miller, Kans.	Weeks
Dawson	Heald	Moon, Pa.	Wheeler
Diekema	Henry, Conn.	Moore, Pa.	Wiley
Dodds	Higgins	Moxley	Young, Mich.
Douglas	Hobson	Nye	Young, N. Y.
Draper	Hollingsworth	Olcott	The Speaker
Driscoll, M. E.	Howell, N. J.	Olmsted	

NAYS—145.

Aiken	Ellerbe	Jones	Randell, Tex.
Alexander, Mo.	Esch	Kendall	Rauch
Anderson	Finley	Kinkead, N. J.	Richardson
Ansberry	Fish	Kitchin	Robinson
Barnhart	Fitzgerald	Korbly	Roddenbery
Bartlett, Nev.	Flood, Va.	Lamb	Rucker, Mo.
Beall, Tex.	Floyd, Ark.	Latta	Saunders
Bell, Ga.	Fornes	Lawrence	Shackleford
Boehne	Foster, Ill.	Lee	Sheppard
Booher	Garner, Tex.	Lenroot	Sherley
Borland	Garrett	Lever	Sherwood
Brantley	Gillespie	Lindbergh	Sims
Burgess	Godwin	Lloyd	Sisson
Burnett	Gordon	Macon	Smith, Tex.
Byrns	Gregg	Maguire, Nebr.	Snapp
Candler	Hamill	Mann	Sparkman
Cantrill	Hamlin	Mays	Stafford
Cary	Hammond	Miller, Minn.	Stanley
Chapman	Hardwick	Mitchell	Steenerson
Clark, Mo.	Hardy	Moon, Tenn.	Stephens, Tex.
Clayton	Harrison	Morrison	Sulzer
Cline	Hay	Morse	Taylor, Colo.
Collier	Heflin	Moss	Thistlewood
Conry	Helm	Nelson	Thomas, Ky.
Cox, Ind.	Henry, Tex.	Nicholls	Thomas, N. C.
Craig	Hitchcock	Norris	Tou Velle
Cullop	Houston	O'Connell	Turnbull
Davidson	Hubbard, Iowa	Oldfield	Underwood
Davis	Hubbard, W. Va.	Padgett	Watkins
Dent	Hughes, Ga.	Page	Webb
Denver	Hughes, N. J.	Palmer, A. M.	Wickliffe
Dickinson	Hull, Tenn.	Pearre	Wilson, Ill.
Dies	Humphreys, Miss.	Peters	Wilson, Pa.
Dixon, Ind.	James	Poindexter	Woods, Iowa
Driscoll, D. A.	Jamieson	Pou	
Dupre	Johnson, Ky.	Pujo	
Edwards, Ga.	Johnson, S. C.	Rainey	

ANSWERED "PRESENT"—7.

Andrus	Howland	Rothermel	Wanger
Ferris	Langley	Smith, Mich.	

NOT VOTING—81.

Adamson	Gallagher	Lindsay	Plumley
Ames	Gardner, Mass.	Lively	Pratt
Ashbrook	Garner, Pa.	Lundin	Prince
Barchfeld	Gill, Md.	McDermott	Ransdell, La.
Bartlett, Ga.	Gill, Mo.	McHenry	Reid
Bates	Glass	McLachlan, Cal.	Rhinock
Bennett, Ky.	Goebel	Malby	Riordan
Bowers	Goldfogle	Martin, Colo.	Sabath
Burke, Pa.	Havens	Maynard	Small
Byrd	Hill	Millington	Smith, Cal.
Campbell	Hinshaw	Mondell	Smith, Iowa
Capron	Howard	Moore, Tex.	Southwick
Clark, Fla.	Huff	Morehead	Spight
Coudrey	Hughes, W. Va.	Morgan, Mo.	Wallace
Covington	Humphrey, Wash.	Morgan, Okla.	Weisse
Cravens	Joyce	Mudd	Willett
Denby	Kahn	Murdock	Wood, N. J.
Dickson, Miss.	Kennedy, Iowa	Murphy	Woodyard
Foelker	Kennedy, Ohio	Needham	
Fowler	Lafean	Parsons	
Gaines	Law	Patterson	

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. WANGER with Mr. ADAMSON.

Mr. HUGHES of West Virginia with Mr. BYRD.

Mr. SMITH of California with Mr. CRAVENS (not transferable under any circumstances).

Mr. ANDRUS with Mr. RIORDAN.

Mr. HILL with Mr. GLASS.

Mr. SMITH of Michigan with Mr. CLARK of Florida (excepting District legislation).

Until further notice:

Mr. MUDD with Mr. WALLACE.

Mr. GOEBEL with Mr. WILLETT.

Mr. WOODYARD with Mr. WEISSE.

Mr. PRATT with Mr. ROTHERMEL.

Mr. NEEDHAM with Mr. SPIGHT.

Mr. MOREHEAD with Mr. SMALL.

Mr. MONDELL with Mr. RANSDELL of Louisiana.

Mr. MALBY with Mr. MOORE of Texas.

Mr. LAW with Mr. MCHENRY.

Mr. LAFEAN with Mr. MCDERMOTT.

Mr. KENNEDY of Iowa with Mr. LIVELY.

Mr. KAHN with Mr. LINDSAY.

Mr. HUMPHREY of Washington with Mr. HOWARD.

Mr. HUFF with Mr. HAVENS.

Mr. GARNER of Pennsylvania with Mr. GOLDFOGLE.

Mr. GAINES with Mr. GILL of Maryland.

Mr. DENBY with Mr. GALLAGHER.

Mr. CAPRON with Mr. GILL of Missouri.

Mr. CAMPBELL with Mr. DICKSON of Mississippi.

Mr. BURKE of Pennsylvania with Mr. COVINGTON.

Mr. BARCHFELD with Mr. BARTLETT of Nevada.

Mr. BATES with Mr. BOWERS.

Mr. MCLACHLAN of California with Mr. ASHBROOK.

Mr. AMES with Mr. REID.

Mr. MURDOCK with Mr. RHINOCK.

Mr. WOOD of New Jersey with Mr. PATTERSON.

Mr. MILLINGTON with Mr. MAYNARD.

From February 22 until February 28, inclusive:

Mr. LANGLEY with Mr. SABATH.

From February 21 until February 27, inclusive:

Mr. MORGAN of Oklahoma with Mr. FERRIS (reserving the right to transfer and release on all labor questions).

On this vote:

Mr. GARDNER of Massachusetts with Mr. HOWLAND.

The result of the vote was announced as above recorded.

Mr. GILLETT. Mr. Speaker, there is one matter left in which there is a disagreement between the Senate and the House, and that is the matter of abolishing the assay office at Charlotte, N. C. I believe the gentleman from North Carolina [Mr. WEBB] wishes to make a preferential motion, or I shall——

The SPEAKER. Covered by one amendment or several?

Mr. GILLETT. There are several amendments, but it all relates to one. I ask unanimous consent that they may be considered together.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amendment 99, page 84, after line 24, insert "assay office at Charlotte, N. C."

Amendment 100, page 84, after line 24, insert "assayer and melter, $1,500."

Amendment No. 101, page 84, after line 24, insert "for wages of workmen and other clerks and employees, $900."

Amendment 102, page 84, after line 24, insert "for incidental and contingent expenses, $500."

Mr. WEBB. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The SPEAKER. The gentleman from North Carolina moves that the House recede from its disagreement to the amendments of the Senate just read and concur in the same.

Mr. LIVINGSTON. Mr. Speaker——

The SPEAKER. This is a preferential motion, but under the rules and practices the gentleman from Massachusetts is entitled to the floor.

Mr. GILLETT. Does the gentleman wish to argue the question?

Mr. WEBB. For about three minutes.

Mr. GILLETT. I yield three minutes to the gentleman.

Mr. WEBB. Mr. Speaker, I shall be very brief, because this matter was before the House last week. A few days ago, when we had about 60 Members present, this matter came up for consideration, and on a very close vote they continued the disagreement. I feel like apologizing to the House for discussing a matter which only involves an extra expenditure on the part of the Government of the insignificant sum of just $700. It is too small to haggle about, and yet that is the trouble between the Senate and the House now. I congratulate the House conferees on having settled all the other differences amicably, and this is the only one left in difference between the House and the Senate. The question is whether for the benefit of 206 depositors of gold at the assay office at Charlotte, N. C., the Government of the United States shall simply spend the infinitesimal sum of $700. It appears to you gentlemen a very small item perhaps. The amount of money that the Government will be called upon to pay will be only $700 for keeping this historic institution open. It was built in 1831 on a tract of land that only cost the Government $40, which tract of land now is worth about $250,000, and because this assay office does not pay the Government of the United States a revenue, the Secretary of the Treasury recommends that it be discontinued, that he can get along without it. I submit, gentlemen, on a parity of reasoning, that we ought to abolish the entire Post Office Department of the United States; that on a parity of reasoning we ought to abolish the Navy and the Army, because some might get along without those. On the same parity of reasoning other things could be left out which carry millions of money. Down in North Carolina we have a gold-producing section, where the production of gold is increasing very much. This last year the production of gold increased 80 per cent, and it is increasing every year, and 206 depositors deposited their gold in this office last year, making it a great saving and convenience not only to North Carolina, but Virginia and Georgia as well. Gentlemen, I say to this House that we can not afford to indulge in such cheeseparing. Our State is a modest State, and has never asked for much from this Government, but now the North Carolina Legislature has asked that this Congress do not discontinue this historic institution. The Greater Charlotte Club, one of the largest financial and business organizations between Washington and Atlanta, Ga., has petitioned Congress not to discontinue this office for the sake of the pitiful sum of $700. Consider the good it does and what good it will do to keep it up, and the great convenience of it to the people. Now, gentlemen, I have made this statement to you frankly, and all I wanted to do was to lay the situation before you and ask at your hands that you will not abolish this great institution, which is of so much value in my district. North Carolina will appreciate your consideration of her wishes. The magnificent city of Charlotte will feel grateful to you; and, of course, my appreciation will be unbounded if you will save this office. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GILLETT. Mr. Speaker, I appreciate that, of course, the gentleman from North Carolina does not wish the assay office there abolished. None of us like to have patronage or expenditure taken away from our States, but if we are going to turn down reforms recommended to us by the department because of personal reasons like this any desire or effort at economies from the department will utterly be discouraged.

Now, it is $2,500 instead of $700, as the gentleman says. The department told us that it is absolutely needless that there should be any assay office in North Carolina. There is no accommodation to speak of to the miners; there is no remuneration to the United States. It is a constant expense. It could exactly as well be done at the other assay offices, with no noticeable increase of expense, and they recommended that in the interests of economy and good administration it should be so done. The House supported the committee. The Senate, where we sometimes think personal influence counts for more than it does here, insisted that this should go back. But I believe now, if the House disagrees, it will end the matter and the recommendation of the Secretary will be carried out, as I hope it will.

I yield to the gentleman from Georgia [Mr. LIVINGSTON] three minutes.

Mr. THOMAS of North Carolina. May I ask the gentleman a question first?

Mr. GILLETT. Yes.

Mr. THOMAS of North Carolina. Does not the Government still assay at the Charlotte assay office $100,000 annually in gold?

Mr. GILLETT. It assayed $88,000.

Mr. THOMAS of North Carolina. Does not that pay expenses and more than pay expenses?

Mr. GILLETT. It does not anywhere near pay expenses.

Mr. WEBB. Last year it was $149,000.

Mr. THOMAS of North Carolina. The gold coming to the assay office is constantly increasing, and my colleague says it has increased 90 per cent in the last year.

Mr. GILLETT. He is mistaken. It is a decrease instead of an increase. I have the figures right here in the report of the Director of the Mint.

Now I yield three minutes to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, this is one of the small items in this bill that we have had a disagreement upon, and the chief reason, perhaps, why some are opposed to its remaining in the bill or being accepted by the House conferees is the fact that the assay office at St. Louis went out. The gentlemen from North Carolina and the Senators that are contending so strenuously for this amendment, and the Legislature of North Carolina, are not responsible for that assay office in St. Louis going out of the bill. I want to suggest to the gentlemen on this side of the House, at least, that there is a great deal of gold in that vicinity. Above the water in the soil it can be worked; below the water it is mixed with sulphur, and they are now endeavoring to get a process by which the sulphur can be separated from the gold; and if that is done that mint there ought to be kept open, by all means. You closed the mint in Louisiana from handling gold; our own mint in Georgia, at Dahlonega, has been closed for quite a while, and all the gold in north Georgia has been brought to Charlotte. It is not a question of economy, and I want to suggest it is not $2,400 or $2,700, because we agreed to concede all of them almost, taking only $1,800.

Mr. GILLETT. Will the gentleman allow me?

Mr. LIVINGSTON. Yes.

Mr. GILLETT. Did you hear the amendment read? It was $2,400 or $2,500.

Mr. LIVINGSTON. I know what the amendment is.

Mr. GILLETT. That is what it is.

Mr. LIVINGSTON. I know the conferees at the other end have agreed to cut it almost in two.

Mr. GILLETT. And it is before us as $2,400, and that is what the gentleman has agreed to concede.

Mr. LIVINGSTON. The gentleman from North Carolina [Mr. WEBB] said $700, and you got up and said $2,400, and I have a right to say the conferees agreed to $1,800. [Laughter.] That is all there is in it. I know what the amendment is. I am not asleep.

Mr. GILLETT. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. AUSTIN] two minutes.

Mr. AUSTIN. Mr. Speaker, I hope Members on this side of the Chamber will vote for the motion submitted by the gentlemen from North Carolina [Mr. WEBB]. Now, I know of my own personal knowledge that recently a large company has been organized and is now actively at work in the gold-mining business in North Carolina. It has purchased a large amount of valuable machinery and shipped it into that State, and has inaugurated an extensive mining operation. I hope that this assay office will be continued until we can go further into practical, up-to-date mining development of that region of the South.

I believe that with improved machinery gold mining can be made profitable in North Carolina, Georgia, and Tennessee, and I hope that the Republican side of this Chamber will not at this stage in the mineral development of the Southern States do anything to discourage, but, on the contrary, will do everything to encourage, the successful development of the resources of the Appalachian mining region.

This is a very small appropriation, and I trust that a Republican House will not take the responsibility of blotting out an institution that has been in operation almost a hundred years. Such an action will be construed as an act of unfriendliness on the part of a Republican Congress toward the South, and I hope we will not take that responsibility, but that we will go on record as sustaining the motion of the gentleman from North Carolina.

Now, there are lots of appropriations that, perhaps, are not needed in other branches and departments of this Government, and if you are going to inaugurate a system of cleaning out and cutting off I hope we can begin somewhere else than at Charlotte, N. C., on the comparatively small appropriation of $2,500. And if there is no other reason that will appeal to this side of the House, the fact that the State of North Carolina gave to the country and to this House the splendid man that occupies the position of Speaker of this House, should be sufficient. [Applause.]

Mr. GILLETT. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, as the gentleman from North Carolina has said, this is a small matter from a financial standpoint, and it might easily be disposed of if it were not for the fact that a question of even-handed justice is involved in the case. If the gentleman from North Carolina had made the eloquent speech which he delivered here this morning before the Committee on Appropriations, when the matter was up in that committee, and then had made it when it was up in the House originally, he might probably have played on the sympathies of the Democratic side with sufficient strength and I might have played upon the sympathies of the Republican side sufficiently to have saved both the Charlotte and St. Louis assay offices.

Mr. WEBB. May I interrupt the gentleman?

Mr. BARTHOLDT. No. I regret that I must decline. I have but five minutes.

When at the beginning of this session it became known that the Treasury Department had recommended the abolishment of these two assay offices in accordance with a plan of economy and reform, I appeared before the Committee on Appropriations and told them that the assay office at St. Louis should be continued in any event, no matter what might happen to others, first, for the reason that we are paying no rent, inasmuch as the assay office there is in a Government building; secondly, that our business there had increased 700 per cent during the last five years; and, thirdly, that the expense of assaying the gold would be just as much as, if not more than, it would be anywhere else if the assaying were not done at the St. Louis office. But in spite of these representations the committee came to the conclusion that the assay offices both at St. Louis and Charlotte should be abolished.

Mr. COWLES. Will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. COWLES. Will the gentleman from Missouri yield for just a suggestion?

Mr. BARTHOLDT. I will if I have the time at my disposal. I have a long story to tell.

Mr. COWLES. I remember hearing the gentleman from Missouri state that they paid no rent at the assay office at St. Louis. I want to say to the gentleman and to the House that the Government also owns the United States mint at Charlotte, and that we pay no rent there.

Mr. BARTHOLDT. That has been already stated. The two assay offices are on all fours, so far as that is concerned. But, Mr. Speaker, the friends of Charlotte slept on their rights when the Committee on Appropriations considered the matter, and they slept on their rights when the matter was up originally in the House; and not until a gentleman representing that State in the other House, a member of the conference committee on this bill, moved to insert Charlotte did they wake up and ask this House to reinsert Charlotte and leave St. Louis out. I say that would be unfair discrimination in favor of Charlotte and against the great city which I have the honor to represent on this floor.

Now, I would be in favor of either putting them both back or striking them both out. But you can not come here now and ask that Charlotte be inserted and St. Louis left out, when, as a matter of fact, St. Louis does three or four more times as much business as is done at Charlotte.

Mr. WEBB. Will the gentleman permit a suggestion?

Mr. BARTHOLDT. What is it?

Mr. WEBB. The gentleman charges me with not making a fight in favor of this proposition. I want to say that I was at home with a sick child, and that is why the fight was not made.

Mr. BARTHOLDT. I am not criticizing the gentleman from North Carolina, I am merely stating facts. I want this House to know that while the Representatives from North Carolina were silent I raised my voice before the committee as well as in the House in behalf of my city, and it would be a great injustice to me, as well as to the people of St. Louis, if, because of the action of the Senate, the larger of the two assay offices were abolished and the smaller continued. The parliamentary status of the matter is now such that St. Louis can not be inserted, and therefore to carry out the plans of the Treasury

officials, the amendment of the Senate in favor of Charlotte should be stricken from the bill.

Mr. GILLETT. Mr. Speaker, I yield one minute to the gentleman from North Carolina [Mr. COWLES].

Mr. COWLES. Mr. Speaker, I want to appeal to our friends on this side of the Chamber to not turn us down on this proposition because of the fact that St. Louis has not won out.

Mr. MANN. But they turned the gentleman down.

Mr. COWLES. That is true; yet, I hope our friends on this side of the Chamber will stand by us.

Mr. MANN. We should feel better about it if they had not unjustly turned down the gentleman from North Carolina.

Mr. COWLES. Well, I appreciate the compliment the gentleman from Illinois [Mr. MANN] thus pays me, and while I deplore the lack of good judgment displayed by them in turning me down, still I harbor no ill will against them for that, and hope my friends on this side will vote with me.

Mr. PADGETT. Mr. Speaker, in view of repeated insinuations and statements of hostility with Japan, I desire to insert in the RECORD the following statement:

[By Associated Press.]

TOKYO, *Wednesday, February 1 (mail correspondence).*

A meeting of Americans resident in Japan was held in Yokohama recently in the interest of international peace movements. A resolution designed to refute the reports that public sentiment in this country is hostile to the United States, was adopted as follows:

"*Resolved*, That in our opinion the people of Japan have at all times entertained the most friendly and cordial sentiments toward the Government and people of the United States, and that there has never been, and is not now, any feeling other than one of confidence and gratitude. We believe, upon evidence which can not be doubted, that there is not to be found in the Japanese Empire any wish or thought other than to maintain the most friendly and cordial relations with the Republic of the United States, and that any representations to the contrary, wherever emanating, and from whatever cause proceeding, are baseless calumnies which, if uncontradicted, can only result in vast material losses to the people of both Governments and in creating an unhappy prejudice between them."

Mr. GILLETT. Mr. Speaker, I hope the House will decide this not on the sympathy for St. Louis or North Carolina, but agree with the recommendation of the department for economy. If they do not, it will discourage all efforts in that line.

The SPEAKER. The question is on the motion to recede and concur in the Senate amendments.

The question was taken; and on a division (demanded by Mr. WEBB) there were 115 ayes and 45 noes.

Mr. GILLETT. I demand the yeas and nays.

The SPEAKER. The yeas and nays are demanded. All those in favor of taking the yeas and nays will rise and stand until counted. [After counting.] Twenty-four gentlemen have arisen, not a sufficient number.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to amend the motion by inserting "St. Louis."

Mr. GILLETT. I make the point of order that it is too late.

The SPEAKER. Objection is heard, the yeas and nays are refused, and the motion is agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I call up the conference report on the bill (H. R. 31856) making appropriations for the District of Columbia. I desire to say that the point raised on Saturday has been stricken from the bill, and the conferees of the two Houses have arrived at a full and free agreement. I ask unanimous consent that the reading of the conference report and statement be omitted. The statement was read on Saturday, and I suppose no gentleman will care to have it read again.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the reading of the report and statement may be omitted.

The statement of the managers on the part of the House is as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 31856) making appropriations for the government of the District of Columbia for the fiscal year 1912 submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying report as to each of the said amendments, namely:

On amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, relating to the executive offices: Increase the salaries of the commissioners from $5,000 to $6,000 each; 1 stenographer and typewriter from $720 to $840; the purchasing officer from $2,500 to $2,750; 1 clerk from $1,200 to $1,300; 3 clerks from $600 each to $720 each; the inspector of buildings from $2,750 to $3,000; reimburses 2 elevator inspectors for maintenance of motor cycles at $15 per month each; and strikes out the proposed increase of salary of the storekeeper from $900 to $1,000.

On amendment No. 15: Extends to the employees of the District, other than those in the public-school system and police and fire departments, the same provisions of leave of absence as is provided for by law for employees of the executive departments.

On amendments Nos. 16 and 17: Increases the salary of the clerk and stenographer in charge of the force for care of the district building from $1,800 to $2,000.

On amendments Nos. 18 and 19: Provides for an additional clerk at $720 in the assessor's office.

On amendment No. 20: Provides for extra labor in the preparation of tax-sale certificates in the sum of $800, as proposed by the House.

On amendments Nos. 21, 22, 23, and 24, relating to the auditor's office: Makes a verbal correction in the text of the bill, and provides for an additional clerk at $1,000.

On amendments Nos. 25 and 26: Provides for an additional stenographer at $840 in the office of the corporation counsel.

On amendments Nos. 27, 28, and 29: Increases the salary of a clerk in the office of the superintendent of weights, measures, and markets from $1,000 to $1,200.

On amendments Nos. 30, 31, 32, 33, and 34, relating to the engineer commissioner's office: Strikes out the proposed increase in the salaries of the engineer of highways and the superintendent of sewers from $3,000 to $3,300 each; increases the salary of the chief clerk from $2,000 to $2,250; and of one clerk from $1,350 to $1,400.

On amendments Nos. 35 and 36: Appropriates $2,500 for a gasoline motor truck for the municipal architect's office.

On amendments Nos. 37, 38, and 39: Strikes out the proposed increase in the salaries of two clerks from $1,200 to $1,300 each in the special-assessment office.

On amendments Nos. 40, 41, 42, and 43, relating to the office of the superintendent of insurance: Increases the salary of the examiner from $1,500 to $1,700; the statistician from $1,500 to $1,700; and of one clerk from $1,000 to $1,200.

On amendments Nos. 44 and 45: Increases the salary of an assistant computer from $825 to $900 in the surveyor's office.

On amendments Nos. 46, 47, 48, and 49, relating to the free public library: Strikes out the proposed increase in the salary of the assistant librarian from $1,500 to $1,600; provides for one additional assistant at $720, and for one additional cataloguer at $540.

On amendment No. 50: Appropriates $34,500, as proposed by the House, instead of $37,500, as proposed by the Senate, for contingent expenses of the government of the District of Columbia.

On amendment No. 51: Appropriates $10,000, instead of $9,000, as proposed by the Senate, for postage.

On amendments Nos. 52 and 53, relating to the coroner's office: Makes the appropriations available for the "purchase and maintenance of means of transportation," instead of "for livery of horses or horse hire," and inserts the provision, proposed by the Senate, relating to juries of inquest.

On amendment No. 54: Appropriates $500, as proposed by the Senate, for erection of historical tablets.

On amendment No. 55: Limits the use of the fees of the recorder of deeds for purchase of typewriters to those of the year 1911, instead of the years 1911 and 1912.

On amendment No. 56: Makes available during the fiscal year 1912 the appropriation of $10,000 made for the year 1910 for repair of buildings that may be injured by fire.

On amendment No. 57: Inserts the provision, proposed by the Senate, authorizing purchases without advertising for proposals in amounts not exceeding $25.

On amendment No. 58: Appropriates $500, as proposed by the Senate, for purchase of apparatus for the office of the inspector of asphalts and cements.

On amendment No. 59: Strikes out the appropriation, proposed by the Senate, of $3,000 for alterations in the repair shop.

On amendment No. 60: Appropriates $340,000, as proposed by the Senate, instead of $180,000, as proposed by the House, for assessment and permit work.

On amendment No. 61: Appropriates $10,000, as proposed by the Senate, for paving roadways under the permit system.

On amendments Nos. 62, 63, and 64: Appropriates $79,500, as proposed by the Senate, instead of $61,500, as proposed by the House, for work on streets and avenues.

On amendments Nos. 65, 66, and 67: Strikes out the appropriation of $27,000, proposed by the Senate, for removing granite block and repaving with asphalt Seventh Street from K Street to P Street; appropriates $14,000 for grading and improving

Seventeenth Street NW., as proposed by the Senate; and makes the appropriation of $8,000, proposed by the House, available, as proposed by the Senate, for connecting Belmont and Fifteenth Streets NW.

On amendments Nos. 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81: Appropriates $123,650, instead of $77,850 as proposed by the House and $161,600 as proposed by the Senate, for the construction of certain county roads and public streets, and provides that the appropriations in detail for such construction shall constitute one fund.

On amendment No. 82: Inserts the provision proposed by the Senate requiring the Anacostia & Potomac River Railroad Co. to remove and relocate certain of its tracks.

On amendments Nos. 83, 84, and 85: Strikes out the appropriations, proposed by the Senate, of $2,500 for replacing sidewalks on the east side of the White Lot, $1,500 for new sidewalks around the Patent Office, and $2,500 for replacing sidewalks around the old post-office building.

On amendments Nos. 86 and 87: Appropriates $140,000, as proposed by the Senate, instead of $130,000, as proposed by the House, for repairs of county roads.

On amendment No. 88: Appropriates $16,000, as proposed by the Senate, instead of $15,000, as proposed by the House, for construction and repair of bridges.

On amendments Nos. 89 and 90: Appropriates $100,000, instead of $75,000, as proposed by the Senate, toward constructing a bridge across Rock Creek on the line of Q Street.

On amendments Nos. 91, 92, 93, and 94, relating to sewers: Appropriates $44,500, as proposed by the Senate, instead of $43,000, as proposed by the House, for the sewage pumping service, and makes the sum available for the maintenance of motor vehicles; appropriates $65,000, instead of $67,000 as proposed by the Senate and $60,000 as proposed by the House, for main and pipe sewers; and $130,000, instead of $161,000 as proposed by the Senate and $110,000 as proposed by the House, for suburban sewers.

On amendment No. 95: Appropriates $260,000, instead of $270,000 as proposed by the Senate and $250,000 as proposed by the House, for sprinkling, sweeping, and cleaning streets.

On amendment No. 96: Strikes out the provision, proposed by the House, which limits the cleaning of snow and ice only from sidewalks in front of public spaces.

On amendment No. 97: Appropriates $128,600 for a stable and storeroom for the street-cleaning department, as proposed by the Senate.

On amendments Nos. 98 and 99: Increases the salary of the watchman at the bathing beach from $450 to $480.

On amendments Nos. 100 and 101: Makes the appropriations for playgrounds immediately available and restores to the bill the requirements, proposed by the House, that the appropriation for salaries of persons connected with the playgrounds be paid wholly out of the revenues of the District.

On amendment No. 102: Appropriates $78,000, instead of $125,000, as proposed by the Senate, for the establishment of the interior park.

On amendments Nos. 103, 104, 105, and 106, relating to the electrical department: Increases the salary of the assistant electrical engineer from $1,800 to $2,000; strikes out the provision for one additional electrical inspector at $1,200; and appropriates $13,500, instead of $14,000, as proposed by the Senate, and $13,000, as proposed by the House, for general supplies.

On amendment No. 107: Inserts the provision, proposed by the House, instead of the one proposed by the Senate, to effect a settlement with the Potomac Electric Power Co. for services heretofore rendered.

On amendment No. 108: Appropriates $35,000, as proposed by the Senate, for the preservation and repair of Cabin John Bridge.

On amendment No. 109: Strikes out the provision, proposed by the Senate, authorizing a new highway plan for that portion of the District in the vicinity of Piney Branch parkway.

On amendments Nos. 110, 111, 112, 113, 114, 115, 116, 117, and 118, relating to the public schools: Strikes out all of the changes, proposed by the Senate, with reference to teachers.

On amendments Nos. 119 and 120: Fixes the salary of the janitor for the Western High School at $900, as proposed by the Senate, instead of $1,000, as proposed by the House.

On amendment No. 121: Appropriates $23,500, instead of $25,000, as proposed by the Senate, and $22,000, as proposed by the House, for tools and machinery for instruction in manual training.

On amendment No. 122: Appropriates $15,000, as proposed by the Senate, instead of $14,550, as proposed by the House, for furniture for new school buildings.

On amendment No. 123: Strikes out the appropriation of $2,600, proposed by the Senate, for a motor delivery wagon for public school supplies.

On amendments Nos. 124, 125, 126, 127, and 128, relating to new school buildings: Appropriates $10,000 for grounds adjacent to the Fillmore School; $75,000 toward a normal school building for colored pupils, to cost not exceeding $200,000; $40,000 for a four-room building in the vicinity of the Burrville School; $54,000 for site and building in the twelfth division; and $60,000 for a site for a new M Street High School; and strikes out $24,000, proposed by the House, for an addition to the Deanwood School.

On amendments Nos. 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, and 139, relating to the Metropolitan police: Strikes out the provision for an additional inspector at $1,800; increases the pay of four surgeons from $600 to $720 each; provides for an additional lieutenant at $1,320, for one additional sargeant at $1,250, one additional private of class one at $900, and for allowance to one additional officer mounted at $260; provides for repairs of a motor patrol; and strikes out the provision, proposed by the Senate, authorizing the deposit to the credit of the police and firemen's relief fund the receipts from licenses other than liquor licenses in addition to the revenues now authorized by law, such sums as may be necessary from time to time to prevent deficiencies in said fund.

On amendments Nos. 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, and 152, relating to the fire department: Strikes out the provision for an additional battalion chief engineer at $2,000; increases the salary of the superintendent of machinery from $1,800 to $2,000; strikes out the increase in salaries of 23 engineers and two marine engineers from $1,150 to $1,200 each; provides for an additional hostler at $600, and inserts the provision, proposed by the Senate, regulating leaves of absence to members of the fire department; strikes out the proposed increase from $15,000 to $16,000 for purchase of horses; appropriates $31,000, instead of $32,000 as proposed by the Senate, and $30,000 as proposed by the House for forage; strikes out the appropriation of $20,000, proposed by the Senate for a repair and storage building; and inserts a provision requiring a report as to the necessity for a high-pressure fire-service system.

On amendments Nos. 153, 154, 155, 156, and 157, relating to the health department: Increases the salary of the poundmaster from $1,200 to $1,500; inserts the provision, proposed by the Senate, requiring inspectors of dairies and dairy farms to act as inspectors of live stock; provides for the prevention of communicable diseases other than those specified in the law; increases the amount that may be expended for personal services from $10,000 to $15,000 out of the appropriation to prevent spread of contagious diseases; and appropriates $10,000 for a new pound.

On amendments Nos. 158, 159, and 160, relating to the juvenile court: Increases the salary of the judge from $3,000 to $3,600; and strikes out the provision for an additional bailiff, at $700.

On amendments Nos. 161, 162, 163, 164, and 165, relating to the police court: Provides for a deputy financial clerk instead of a deputy clerk to be known as financial clerk, at $1,500; increases the salary of the janitor from $540 to $600; and appropriates $1,000, as proposed by the House, instead of $2,000 as proposed by the Senate, for repairs of the Police Court Building.

On amendments Nos. 166, 167, 168, and 169, relating to the municipal court: Provides for an additional assistant clerk, at $1,000, and increases the salary of the janitor from $480 to $600.

On amendment No. 170: Authorizes the employment of an alienist at $1,000 per annum in connection with the expenses of execution of writs of lunacy.

On amendment No. 171: Strikes out the provision, proposed by the Senate, authorizing purchases in open market.

On amendment No. 172: Appropriates $48,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for support of convicts.

On amendments Nos. 173 and 174: Increases the salaries of five laborers from $480 to $600 each in the courthouse.

On amendments Nos. 175, 176, 177, 178, and 179, relating to the court of appeals building: Strikes out the provision for a mechanician at $1,200 and an additional watchman at $600; provides for an additional laborer at $480; and appropriates $900 instead of $1,500, as proposed by the Senate, for miscellaneous expenses of the building.

On amendment No. 180: Appropriates $40,840, as proposed by the Senate, for maintenance of jail prisoners.

On amendment No. 181: Appropriates $25,000, as proposed by the House, instead of $26,000, as proposed by the Senate, for miscellaneous expenses of the supreme court of the District.

On amendments Nos. 182 and 183: Increases the salary of the secretary of the Board of Charities from $3,000 to $3,500.

On amendments Nos. 184, 185, and 186: Increases the salary of the superintendent of nursing at the Washington Asylum and jail from $720 to $840.

On amendments Nos. 187 and 188: Appropriates $25,000, as proposed by the House, instead of $26,000, as proposed by the Senate, for provisions and miscellaneous expenses for the Home for the Aged and Infirm.

On amendments Nos. 189, 190, and 191: Appropriates $500, as proposed by the House, for plans for an additional building, to cost not exceeding $40,000, for the Reform School for Girls.

On amendments Nos. 192, 193, 194, 195, 196, 197, 198, 199, 200, and 201, relating to medical charities: Appropriates $34,000, instead of $35,500, as proposed by the Senate, and $32,500, as proposed by the House, for the Freedmen's Hospital; appropriates $11,000, as proposed by the Senate, instead of $10,000, as proposed by the House, for the Eastern Dispensary; $4,000, as proposed by the Senate, instead of $3,000, as proposed by the House, for the George Washington University Hospital; provides for an assistant cook, at $360, increases the salary of the laundryman from $480 to $600, strikes out the proposed increase in the salary of the engineer from $720 to $900, and increases the salary of the farmer from $300 to $360, in the Tuberculosis Hospital, and strikes out the increase in the appropriation proposed by the Senate, from $1,000 to $1,500, for repairs and improvements to buildings and grounds for that institution.

On amendments Nos. 202, 203, 204, 205, 206, 207, 208, 209, 210, and 211, relating to child-caring institutions: Strikes out the provision for an additional placing officer at $1,000 and the increase in the salary of an investigating clerk from $900 to $960 for the Board of Children's Guardians; increases the salary of two assistant caretakers from $300 to $360, and provides for a stableman at $300 for the Industrial Home for Colored Children; strikes out the increase from $6,000 to $7,500 for maintenance and from $250 to $450 for furniture and equipment for the institution.

On amendments Nos. 212 and 213: Inserts the provision proposed by the Senate authorizing the acceptance as a donation the property known as the Night Lodging House; and strikes out the appropriation of $5,000 proposed by the Senate for the Columbia Polytechnic Institute.

On amendment No. 214: Prohibits the use of any appropriation heretofore made, as well as of appropriations contained in the act for 1912, for a reformatory, asylum, or workhouse in Virginia or Maryland within 10 miles of Mount Vernon, except the one at Occoquan.

On amendments Nos. 215, 216, 217, and 218, relating to the workhouse at Occoquan: Appropriates $193,000 instead of $288,000, with $80,000 instead of $91,000 thereof immediately available, for maintenance and operation; and inserts the provision, proposed by the Senate, relative to the delivery to and custody of male and female prisoners in the institution.

On amendments Nos. 219, 220, 221, 222, 223, 224, 225, 226, 227, and 228, relating to the militia: Appropriates $48,000, instead of $49,000 as proposed by the Senate and $47,000 as proposed by the House, for expenses of camps; $2,250, as proposed by the Senate, for cleaning uniforms; $1,250, as proposed by the House, instead of $1,500, as proposed by the Senate, for expenses of target practice; and inserts provisions into the text of the appropriation for payment of troops, proposed by the Senate.

On amendment No. 229: Appropriates $100,000, as proposed by the Senate, toward the improvement of the Anacostia River Flats.

On amendment No. 230: Strikes out the appropriation of $210,000, proposed by the Senate, for the purchase of Carpenter (Pennsylvania Avenue) tract of land.

On amendment No. 231: Strikes out the proposed authorization of an appropriation of $300,000 for the acquisition of the land known as the Klingleford Valley.

On amendment No. 232: Authorizing the purchase and maintenance of a motor runabout for the water department.

On amendment No. 233: Authorizes the use of $70,000, as proposed by the Senate, instead of $65,000, as proposed by the House, for personal services in connection with the execution of public works in the District of Columbia.

On amendments Nos. 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, and 249, relating to public lighting: Authorizes rates of $15, as proposed by the Senate, instead of $14.50, as proposed by the House, for 40-candlepower incandescent lamps on overhead wires; $17.50, as proposed by the House, instead of $19, as proposed by the Senate, for 60-candlepower incandescent lamps on overhead wires; $80 instead of $85, as proposed by the Senate, and $72.50, as proposed by the House, for 528 and 550 watt series inclosed and multiple inclosed arc lamps; $72.50, as proposed by the House, instead of $75, as proposed by the Senate, for 320 watt magnetite or other arc lamps; requires replacing of certain electric lights by April 1, 1914, as proposed by the House, instead of 1915, as proposed by the Senate; fixes the limit of cost of lamp-posts and equipment at $60, as proposed by the House, instead of $50, as proposed by the Senate; authorizes a reduction of $6.60, as proposed by the House, instead of $4.40, as proposed by the Senate, from the price of electric arc lamps if the commissioners furnish the equipment therefor; provides that in the event the commissioners have to adopt forms of electric street lighting other than those provided for in the bill, a fair sum for the cost of maintenance may be allowed; prohibits public electric lighting by overhead wires within the existing fire limits of the District; makes certain necessary verbal corrections; and inserts a provision imposing a penalty of $25 per day for failure on the part of any gaslight or electric light company to furnish or discontinue any street lamp that the commissioners may direct.

WASHINGTON GARDNER,
EDWARD L. TAYLOR, Jr.,
A. S. BURLESON,
Managers on part of the House.

Mr. COX of Indiana. Mr. Speaker——

Mr. JOHNSON of Kentucky. Mr. Speaker, I reserve the right to object. The only thing I desire is to raise some further points of order.

The SPEAKER. The gentleman reserves all points of order.

Mr. COX of Indiana. I want to reserve a point of order to amendment 95.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Michigan, to omit the reading of the report and statement.

Mr. JOHNSON of Kentucky. Is it proper for me to make my points of order?

The SPEAKER. It is.

Mr. JOHNSON of Kentucky. I desire to make a point of order to Senate amendments Nos. 102, 151, 157, 161, 207, and 218.

Mr. COX of Indiana. Mr. Speaker, I make a point of order to amendment 95 on the ground that the item inserted in the conference report was never in dispute between the two Houses, but was inserted as new legislation by the conferees. It is found on page 3561 of the RECORD.

Mr. JOHNSON of Kentucky. I make my points of order on the same ground.

The SPEAKER. The Chair will hear the gentleman from Indiana on the point of order.

Mr. COX of Indiana. Mr. Speaker, on page 3561 of the RECORD of Saturday I find the following:

> That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$260,000," and on page 35 of the bill, in line 24, after the word "specifications," insert the following:
>
> "*Provided further*, That whenever it shall appear to said commissioners that the work now performed under contract, namely, street sweeping and cleaning alleys and unimproved streets, can, in their judgment, be performed under their immediate direction more advantageously to the District, then, in that event, said commissioners are hereby authorized to perform any part or all of said work in such manner, and to employ all necessary personal services, and purchase and maintain such street-cleaning apparatus, horses, harness, carts, wagons, tools, and equipment as may be necessary for the purpose, and of this appropriation the sum of $40,000 is hereby made immediately available."

To that I make the point of order.

Mr. STAFFORD. Mr. Speaker, I raise the point of order that the point of order comes too late. This conference report was under consideration on Saturday last, and the point of order was reserved only as to one item.

Mr. BARTLETT of Georgia. Oh, the gentleman reserved all points of order.

The SPEAKER. The Chair can dispose of that by suggesting to the gentleman from Wisconsin that this conference report is to be considered without regard to the conference report made on a former occasion, and the gentleman from Indiana did reserve all points of order. The Chair thinks the gentleman is in time with his point of order.

Mr. COX of Indiana. Mr. Speaker, the item inserted in the conference report was never in dispute between the two Houses whatever. It was not in the bill at the time that it passed the House. It was not incorporated at the other end of the Capitol in the Senate, and the Senate amendment comes back here as legislation having its source in the conference committee.

Mr. GARDNER of Michigan. Mr. Speaker, I am sure the gentleman does not wish to mislead the House.

Mr. COX of Indiana. I do not.

Mr. GARDNER of Michigan. The gentleman from Virginia [Mr. CARLIN] raised the point of order on this item in the House, and it went out on a point of order that he made. It was in the bill when the bill was reported to the House. The Senate put it back in the bill in the Senate committee.

Mr. COX of Indiana. I am unable to find where it is incorporated in the bill by the Senate.

Mr. GARDNER of Michigan. If the gentleman will read the original bill he will find it there.

Mr. BURLESON. It is only fair to state that it went out in the Senate on a point of order raised by the Senator from Indiana.

Mr. FITZGERALD. Mr. Speaker, I understand the gentleman from Indiana [Mr. Cox] to state that this matter has been inserted by the conferees in the bill at a point in the text where there was nothing in dispute. The gentleman from Michigan states that this item was in the House bill, but it went out on a point of order; that the Senate committee put it in the bill in the Senate, and it went out there on a point of order. It was in the bill when it went to conference and never in disagreement. The conferees inserted the provision in the conference report. Of course, that is clearly beyond their power.

The SPEAKER. The Chair desires on this point of order to get at the exact matter covered by the point, and will direct the Clerk to read the proviso in the original bill.

The Clerk read as follows:

Provided, That whenever it shall appear to the commissioners that said latter work can not be done under their immediate direction at 19 cents or less per thousand square yards, in accordance with the specifications under which the same was last advertised for bids, it shall at once be their duty to advertise to let said work under said specifications to the lowest responsible bidder, and if the same can not be procured to be done at a price not exceeding 20 cents per thousand square yards, they may continue to do said work under their immediate direction, in accordance with said specifications, $250,000, and the commissioners shall so apportion this appropriation as to prevent a deficiency therein.

The SPEAKER. Was that matter in conference?

Mr. FITZGERALD. No; only the amount of that item was in conference.

Mr. GARDNER of Michigan. Mr. Speaker, I desire to say to the gentlemen of the House that we do not question but what this is subject to a point of order. We do claim, without any division of sentiment in the committee, either in the House or the Senate, that it ought to be in the bill. It was in the House bill and was stricken out on a point of order raised by the gentleman from Virginia [Mr. CARLIN]. Just a few moments ago Mr. CARLIN came to me and said that he wanted to speak on this matter, but he had an engagement and had waited as long as he could. He said to me, in effect, that he desired to withdraw every particle of objection that he had to the item, and further stated that he believed it ought to be in the bill and that he authorized me to say that for him. Now, it went over to the Senate, and the Senate committee put it in the bill, and then, on a point of order raised by a Senator, it went out of the bill. Now, from as reputable authority, as I have the statement of the gentleman from Virginia, I can state that the Senator who objected said that he did not understand the matter or he would not have been in favor of striking it out and that he wished it might be retained. These statements coming to the conferees, we believed that we acted in harmony with the thought of the House—of both Houses—in leaving the matter in the bill, although we do say, and there is no disposition to say otherwise, that technically it is subject to a point of order.

But whether a technicality should stand for what we all believe to be for the best interest of the District is the question for the House to determine.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. GARDNER of Michigan. Assuredly.

Mr. COX of Indiana. I got the opinion some way, I believe while the bill was going through the House, that this work for cleaning and sweeping the streets was let out by contract to the highest bidder. Is that true?

Mr. GARDNER of Michigan. A part of it in this way, I may say to the gentleman. There has been for years, ever since I have been on this committee, for 10 years, more or less complaint every year at the way the street sweeping was done. They are now performing a good part of the work, and the commissioners have gradually increased the paraphernalia necessary to do the work under appropriations made for that purpose by the House; and they have now a very considerable amount of machinery that can be used for cleaning snow and ice, for cleaning the streets and flushing the streets, and a good deal of this, I am informed, will have to be housed and unused if this item stays out of the bill.

Mr. COX of Indiana. Will the gentleman yield in that connection? Is this true—I have seen it, if I mistake not, in a newspaper—that one of the Commissioners of the District, I believe Commissioner Johnston, I am not sure, bought without any authority of law or without any authority, a large number of street-cleaning apparatus? Is that true; and that it has never been put in use; and if that be true, is not that the very purpose of this amendment in the conference report to utilize that machinery?

Mr. GARDNER of Michigan. If there was any machinery bought without authority of law I am not aware of it. There was an item in the bill a year ago appropriating $8,000 for the purchase of machinery, open and aboveboard, known by everybody who was giving attention to the bill.

Mr. CARY. Will the gentleman permit me a question?

Mr. GARDNER of Michigan. Assuredly.

Mr. CARY. Is it not a fact that Mr. Johnston has ordered 16 machines for street cleaning purposes, and he has them now stored in a barn or a stable loft in the District here, and that 10 of them were charged against the street cleaning department, and 6, I believe, against snow and ice? I placed those charges before the President of the United States and the only answer I got is that they are not paid for yet. That is the only answer, "that they are not paid for yet." If he ordered them without authority and stored them over there, it seems to me this clause in the bill is to permit him now to make use of the appropriation by paying for the machines and have an excuse to say he was right about it when he bought the machines in the first place.

Mr. BENNET of New York. And if the gentleman will permit me, and also that we gave the money to pay for them.

Mr. CARY. Yes; that we gave him the money to pay for them.

Mr. HULL of Iowa. It seems to me the important thing is for this House to know whether they are really needed to be bought for the District.

Mr. CARY. They are not needed more than any other items.

The SPEAKER. Are there any further points of order? The Chair is informed that there are a number of precedents relating to this subject. The exact matter which was in difference between the two Houses was as to the amount of money that was to be appropriated for this service, and the point is made that the conferees can not change the text to which both Houses agreed. It is claimed that the text was not in conference, unless the amount of money controlled it, so as to make the agreement of the conferees germane. While it is a safe rule that the conferees can not change the text to which both Houses have agreed, yet if it were an original question, and it were safe to violate a rule of such manifest usefulness, the Chair would be inclined in this specific instance to overrule the point of order, because in each provision in the original bill, and in the provision in the conference report, it is provided that in certain contingencies this work may be done directly by the commissioners. In the precedents relating to this subject it is possible that the substance may sometimes have been sacrificed for the letter; but as the rule in its general application is safe, useful, and necessary, and as the gentleman from Michigan [Mr. GARDNER] confesses the point of order, the Chair is inclined, following the precedents, to sustain the point of order. Of course it is in the power of the House to dispose of the matter in any way it chooses.

Mr. GARDNER of Michigan. Then, Mr. Speaker, I move to suspend the rules and pass the conference report.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and agree to the report.

Mr. COX of Indiana. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Michigan [Mr. GARDNER] is entitled to 20 minutes and the gentleman from Indiana [Mr. Cox] to 20 minutes.

Mr. COX of Indiana. I yield three minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER of Illinois. Mr. Speaker, I am opposed to this conference report as it now exists for two or three reasons. I still adhere to the original reason that I had, which is that it provides for this increase of the salaries of the Commissioners of the District of Columbia. I have been unable to believe that it is necessary for this Congress to increase these salaries, which seem already high, and yet refuse to help those who are lower down in the scale and those who need help. The hearings show that these blind people were given $5,000 10 years ago, and with that money they purchased machinery and purchased such supplies as were necessary so they might support themselves, and it was shown at that time there were

about 100 of them in the District that were supporting themselves and keeping away from charity, while on this report our conferees very willingly and anxiously agree to the amendment increasing the salary of the commissioners $1,000 a year and refuse to these people this little help in order that they may support themselves without calling on charity.

I hope that this House will vote down this conference report to-day and send it back again, and keep sending it back even up until 12 o'clock on the 4th day of March, unless we get justice in this report when it does come back to this House.

Mr. SIMS. How much is the appropriation?

Mr. FOSTER of Illinois. $5,000.

Mr. SIMS. This increase of salary is $3,000?

Mr. COX of Indiana. Yes.

Mr. SIMS. Maybe they can not take care of all the blind at one time.

Mr. COX of Indiana. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. Mr. Speaker, I shall vote against this motion, and for this reason: This report came before this House on the 20th of February, 1911, when, in order to get it into conference, it was necessary to have unanimous consent, at which time the gentleman from Michigan [Mr. GARDNER] made the following stipulation with the House:

Mr. FOSTER of Illinois. I desire to ask the gentleman if he is willing to permit a vote of the House on the increase of the salaries of the District Commissioners?

Mr. GARDNER of Michigan. The District officials?

Mr. FOSTER of Illinois. The increase of the salary of the District Commissioners.

Mr. GARDNER of Michigan. I think so; I would be willing for the House to vote——

Mr. FOSTER of Illinois. Without agreeing to it in conference.

Mr. GARDNER of Michigan. Personally I have no objection to the House voting on that.

And then he added some words stating his own personal belief why the increase ought to be made.

Mr. GARDNER of Michigan. Will you read those words?

Mr. BENNET of New York. Certainly. He said:

I want to say to the gentleman, to be entirely frank with him, personally I feel thoroughly convinced that it is the right thing to do. The increase ought to be made.

It was the gentleman's personal idea that a fair increase ought to be made. Of course, I understand that, going into a full and free conference, the gentleman could not make a binding promise, but I also know that in my six years of service here, wherever it has been necessary to get unanimous consent to go into conference and the House has given unanimous consent, the House conferees, as to the manner in which the question has been raised, have always come back to this House with the matter in disagreement and given the House a chance to vote.

Neither the gentleman from Michigan [Mr. GARDNER] nor myself can be affected one way or the other by this, because we will both go out on the 4th of March, but it seems to me that the unvarying practice of conferees, when they have gone as far as the gentleman from Michigan went in a statement, to bring that matter back in disagreement and allow the vote on it ought to be continued. There is no other way the House can get a vote except by voting down the entire conference report, and that, in the closing days of the session, particularly, is hard. I do not think the salary of these commissioners ought to be increased, but beyond that, I think when the conferees get unanimous consent by a statement to the House, in which the House has the right to believe, that if they go into conference they will bring the matter back into disagreement, at least once, that that is a higher matter, and much higher, than a paltry increase to the commissioners, and justifies any man to vote against the rule or a conference report, which I intend doing.

The SPEAKER. The time of the gentleman has expired.

Mr. COX of Indiana. Will the gentleman from Michigan use some more of his time?

Mr. GARDNER of Michigan. I yield five minutes to the gentleman from Ohio [Mr. TAYLOR].

Mr. TAYLOR of Ohio. Mr. Speaker, addressing myself to the street-cleaning paragraph, which seems to be the subject in controversy, I desire to make just a short statement as to the necessity of this legislation at this time.

We have now a large portion of the city under direct District control, so far as street sweeping is concerned, and the bulk of the city is being cleaned under the direct authority of the commissioners. We have a private contract for what might be termed the "fringes" of the city. That contract will have expired before another appropriation bill can be drawn and passed. That contract is for five years. The law authorizing that contract provides that the contract shall be made for not to exceed five years. In order to get any competition at all, the commissioners would have to make a long-time contract, because the contractor could not afford to purchase and maintain equipments on a one-year or two-year contract.

Now, a year ago there was inserted in this appropriation bill, the District of Columbia appropriation bill, a provision providing for the expenditure of $8,000 for the purchase of street-sweeping machinery. Here is the language of it:

Provided further, That not exceeding $8,000 of this appropriation shall be available, when ordered in writing by the Commissioners of the District of Columbia, for the purchase of horse-propelled street-washing machines or other machines or apparatus for cleaning streets to be used in connection with hand-cleaning work performed under the immediate direction of said commissioners, and the expenditures on account of this service shall not be charged as a part of the cost of hand-cleaning work.

Under this authority I am informed that the commissioners have expended practically the entire amount of this appropriation in the purchase of street-cleaning apparatus. They are prepared, and will be prepared, if this paragraph becomes a law, to proceed thus economically and properly to use their investment and to clean the streets in a better manner, in my judgment, and in their judgment, than they are cleaned by the contractor.

Now, in order to give an illustration of what this means, I am going to call your attention to a statement made to me a few days ago in regard to these machines. These sweeping machines that are used by the street cleaners of the District cost about $200 or $205 each.

Mr. GARDNER of Michigan. I hope we may have attention in the House on the part of gentlemen who are objecting to those things.

Mr. COX of Indiana. I will state to the gentleman that we are discussing that matter over here.

Mr. GARDNER of Michigan. The gentlemen should listan.

Mr. TAYLOR of Ohio. I am perfectly willing, Mr. Speaker, that the gentlemen should not listen unless they desire, but in any event they should keep quiet.

Mr. CARY. Will the gentleman yield to me for a question?

Mr. TAYLOR of Ohio. Yes.

Mr. CARY. I want to inquire of the gentleman if that appropriation was not placed there by the Senate last year?

Mr. TAYLOR of Ohio. Yes; I will say to the gentleman that that is true.

Mr. CARY. Flushers and washing machines?

Mr. TAYLOR of Ohio. I said washing machines and other apparatus. I know what the gentleman wanted when he lent his assistance in getting this provision put on in the Senate. He was active in that matter because a constituent of his, in his district, is the only man in the United States who makes that particular kind of a washing machine that he hoped would be purchased. But the trouble with the gentleman seems to be that they, the commissioners, did not purchase all of that kind of machines, as was hoped by the gentleman's constituent.

Now, then, I want to make this statement to the House: Not long ago the commissioners had a desire to use one of the sweeping machines that was owned by the private contractor—desired to use it for a certain specific purpose, and as I am informed, and I have no doubt my information is correct, when they went to the contractor and asked that they be permitted to use one of these machines, he said, "It will cost you $18 a day to use that machine because that is my profit per machine under my contract." Think of it—$18 a day for the use of a machine costing $205! It seems to me it would be better if we should use our 16 machines and save that profit to the District and to the Nation.

Mr. COX of Indiana. Will the gentleman yield?

Mr. TAYLOR of Ohio. Yes.

Mr. COX of Indiana. I would like to ask the gentleman whether it is not a fact that when this item was before the House the last time the statement was made that the street cleaning here in the city of Washington is let out on contract?

Mr. TAYLOR of Ohio. A portion of it is let out on contract.

Mr. COX of Indiana. What proportion of it? Give us the proportion, approximately.

Mr. TAYLOR of Ohio. A great majority of the streets and avenues are now cleaned by the District Commissioners directly, and the rest, mostly in the outskirts, are cleaned by contract.

Mr. COX of Indiana. Then the gentleman will say that as much as 40 per cent is done by contract?

Mr. TAYLOR of Ohio. I will say that less than half is done by contract.

The SPEAKER. The time of the gentleman has expired.

Mr. GARDNER of Michigan. I yield to the gentleman three minutes more, Mr. Speaker.

Mr. TAYLOR of Ohio. Now, Mr. Speaker, in my short time I will say that Mr. CARLIN, of Virginia, made a point of order

against this provision in the House bill, but since that time some examination into the matter has been made by him, as I am informed, and he has authorized the statement that he not only does not desire that the item should go out, but he is anxious that it should go in, because he has investigated it. And I will say further that the Senator from Indiana [Mr. SHIVELY], who moved that the matter go out in the Senate, has since investigated the question, and he has given his consent that this should be put in by the conferees. The conference committee of the House has acted in good faith, and has made an earnest effort to see that the largest use possible of the machinery for the cleaning of the streets is made. I am sure that private interests, with reference to constituents in any man's district, should not intervene here when it comes to a question of expending the funds of the people of this District and the funds of the people of the country at large who pay one-half the expenses of this District. [Applause.]

Mr. COX of Indiana. Mr. Speaker, how much time is there left?

The SPEAKER. The gentleman from Michigan is entitled to one hour.

Mr. COX of Indiana. If agreeable, Mr. Speaker, we may perhaps come to some terms by which we can adjust this matter if the motion to suspend the rules be set aside and the House is given a chance to vote directly on the increase of salaries to the commissioners. So far as I am concerned, I would be disposed to withdraw the point of order.

Mr. COOPER of Wisconsin. When the matter was before the House the last time the House struck out an appropriation to establish a reformatory at a point near Mount Vernon.

Mr. BURLESON. Yes.

Mr. COOPER of Wisconsin. What is the meaning of this section, beginning on page 104, line 16, and running clear through to the bottom of page 108?

Mr. COX of Indiana. I am unable to answer the gentleman.

Mr. MANN. I want to say that with this arrangement which the gentleman suggests the gentleman from Michigan would have an hour to explain these items.

Mr. COOPER of Wisconsin. I would like to ask if it is not true that the language of lines 16, 17, and 18, on page 104, "for the following purposes in connection with the removal of the jail and workhouse prisoners from the District of Columbia to the site acquired for a workhouse in the State of Virginia"——

Mr. GARDNER of Michigan. That is not in question at all.

Mr. BURLESON. I think I can explain to the gentleman from Wisconsin. That is at Occoquan, and does not refer to the reformatory.

Mr. COOPER of Wisconsin. Occoquan?

Mr. GARDNER of Michigan. That is for the workhouse at Occoquan. The item the gentleman referred to was for a reformatory near there and not the workhouse.

Mr. COOPER of Wisconsin. Then this has nothing to do with the reformatory?

Mr. GARDNER of Michigan. No.

Mr. COOPER of Wisconsin. I understand, then, that under this bill no reformatory can be established within 10 miles of Mount Vernon?

Mr. GARDNER of Michigan, No.

Mr. COX of Indiana. Mr. Speaker, I think we can adjust this matter. If the gentleman will withdraw his motion to suspend the rules and agree to the conference report and give us a direct vote on the salaries of the commissioners——

Mr. MANN. There will have to be a direct vote on the conference report first. If you should reject the conference report, then you could get a vote on any specific amendment.

Mr. COX of Indiana. I do not like that way.

Mr. BURLESON. The motion to suspend the rules can be withdrawn and the point of order can be withdrawn, and then the gentleman from Illinois can make a motion to recommit with instructions that the salaries be reduced.

Mr. COX of Indiana. I suppose it could be done by unanimous consent.

Mr. MANN. But you must first dispose of the conference report. If you reject the conference report, you can give any reasons you want to. Then any amendment of the Senate is before the House for such disposition as the House sees fit to make of it.

Mr. SIMS. But the conference report is already rejected by the point of order being sustained.

Mr. MANN. I understand the proposition now is for the motion to suspend the rules to be withdrawn, the point of order to be withdrawn, so as to bring the conference report before the House, and discuss the questions that are really in issue instead of technical questions that nobody cares anything about.

Mr. SIMS. And by unanimous consent you attempt to set aside the action of the Chair.

Mr. MANN. To withdraw the point of order.

Mr. SIMS. But it has already been acted on, and you will have to set aside the action of the Chair.

Mr. BENNET of New York. Mr. Speaker, I shall object to any request such as is made by the gentleman from Illinois.

Mr. MANN. I beg the gentleman's pardon, but the gentleman from Illinois did not make the request; it was the gentleman from Indiana.

Mr. COX of Indiana. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER of Missouri. Mr. Speaker, I am not going to attack this conference report as a whole. I do not intend to criticize gentlemen on the conference committee, but I am perplexed to know why the House conferees insisted on striking out the Senate amendment, which was the only good amendment to the bill. I refer to the Senate amendment appropriating $5,000 for the aid of the blind for the Polytechnic Institute. It does seem to me that if any class of American citizens could appeal to the generosity of Congress and to the intelligence of Members of this House, it would be those who are so unfortunate as not to be able to see the light of day. When the Senate amended this bill restoring an appropriation which has heretofore been carried, as I understand, of $5,000—and if it has not been heretofore carried, it ought to have been carried—why the House conferees insisted on striking it out is beyond my comprehension. Since this legislation has been initiated in the Senate, legislation founded in sympathy, justice, and wisdom, I am not in favor of sustaining any conference report that strikes it out. I believe it ought to remain in the bill. I believe those people, numbering about 100 unfortunates, who have been sustaining themselves with the aid of $5,000 from the Government, ought to be encouraged to continue to sustain themselves. They ought to be encouraged to put forth such efforts as people in their condition can reasonably put forth to protect themselves from becoming objects of charity. I regret very much that the House conferees struck that provision out of the bill, and because they did I shall vote against the adoption of the conference report. That is all I desire to say.

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, ordinarily I am not in favor of legislating by way of appropriation bills, but if there ever was a time for so doing in the interest of District business that time is at hand.

I desire to say, in justice to my associates upon the District Committee, that, in my judgment, there is no committee in this House, no committee of the Sixty-first Congress, that has been more willing to convene and do business than has the Committee upon the District of Columbia. It has seemed to the chairman of that committee, especially during the last session, that it was not possible to call that committee together at any time of the day, in the forenoon or the afternoon, or even in the evening, when the committee was not willing to respond. As a result, this committee has reported about 60 bills which I hope will be enacted into law before this Congress concludes its labors. Beginning with about the middle of last May, the District Committee of the House, before whom some of the matters in this bill would naturally come, have been denied, as all know, the right that is due it under the rules of the House to present its legislation; and as a result, since the middle of last May this committee has had only one legislative day and three hours of another day. It has therefore been impossible to even dispose of the bills which the committee has reported and which are upon the calendar at this time. It is for this reason, in justification of myself and in justification of the other members of the committee who may feel as I do, that I have spoken as I have with reference to the business of the District.

There is another thing that I desire to call attention to, and that is this: On Saturday last, when this conference report was under consideration, the suggestion was made by some Member of the House that the legislation with reference to the asphalt plant was brought before the District Committee. That is a mistake.

The asphalt bill was never introduced, and it is due to the commissioners to say why. They recognize, as have Members of the District Committee for months, that it was useless to introduce such legislation, because the committee, even though it were willing to make a report on the legislation to the House, was continually denied the right under the rules to present its legislation to the House.

I am in favor of this legislation in the conference report for another reason. I am informed by one of the Commissioners of the District that this street-cleaning proposition will save the District $40,000 a year after the first year, and, as I understand it, this is the year when they let the contracts, and it is a

contract running over a period of five years. It does seem to me that the House ought to adopt this conference report. It is true there may be some things in it that are objectionable, but as I have said before, this is what I offer in justification of my position at this time in support of this conference report.

I want to say to the House that since I have been a Member of this committee I have had but one purpose, and that was to pass legislation in the interest of the people of the District, and by so doing in the interest of all the people, for this is the Capital City of our Nation. I hope this conference report will be adopted by more than a two-thirds vote. [Applause.]

Mr. GARDNER of Michigan. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, I understand that the controversy here is over the compensation of the Commissioners of the District, and in order to afford the House an opportunity to pass on that I ask unanimous consent that all proceedings on the conference report be vacated, and that the conference report be disagreed to. That will leave the Senate amendments then to be considered by the House. It will save time and expedite business.

The SPEAKER. The Chair understands that the only thing at issue in fact is the salary of the commissioners.

Mr. FITZGERALD. As far as we can ascertain.

Mr. COX of Indiana. That is really the bone of contention.

The SPEAKER. Then will the gentleman modify his request, that all proceedings touching the consideration of the conference report be vacated, and that the conference report be rejected, and that all amendments of the Senate be disagreed to save the amendments specified, namely, touching the salaries of the commissioners, and that that be disposed of by a vote of the House?

Mr. GARDNER of Michigan. Mr. Speaker, by a majority vote?

The SPEAKER. Oh, certainly.

Mr. GARDNER of Michigan. Mr. Speaker, I desire to say just a word.

Mr. BENNET of New York. Mr. Speaker——

The SPEAKER. Is there objection?

Mr. BENNET of New York. Reserving the right to object——

Mr. SIMS. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry. Will this vacate the ruling of the Chair on the point of order on the report?

The SPEAKER. It vacates everything.

Mr. SIMS. So that it will not hereafter come up. Now, would the unanimous consent vacate——

The SPEAKER. It vacates all proceedings touching this conference report. It insists on its disagreement to all amendments of the Senate save the one, namely, touching the salary of the commissioners.

Mr. SIMS. I just did not want the Chair overruled on that point.

The SPEAKER. Is there objection? [After a pause.] The Chair hears no objection. The only thing now before the House is the disposition of the amendment touching the salaries of the commissioners, and the Clerk will report the same.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. In this unanimous-consent agreement, which has just been entered into, what becomes of the amendment that the conferees reported and that the gentleman from Indiana made a point of order on?

The SPEAKER. The Chair overruled that point of order, but that now, by unanimous consent, is wiped out and the conference report is rejected, and the House by unanimous consent further insists on all its disagreements to all the Senate amendments except Senate amendment which is as follows. The Clerk will read.

The Clerk read as follows:

Page 2, line 4——

Mr. MANN. Mr. Speaker, I understand that part, but there will have to be another conference report, and I am trying to guard against the future if possible. The gentleman from Indiana stated awhile ago he would withdraw the point of order. Now——

Mr. MADDEN. He has.

Mr. MANN. Suppose they bring in another conference report that has the same thing in it. Then we would have to go through the same minutia again.

Mr. COX of Indiana. Mr. Speaker, I did make that statement, that if this agreement could be brought about so as to give the House a direct vote on the increase of the salaries of the commissioners, that as far as I was personally concerned I would withdraw the point of order which I waged a moment ago against amendment No. 95.

Mr. MANN. And probably would not renew it?

Mr. COX of Indiana. And I will say frankly I will not renew it in the future against amendment 95 if——

Mr. MANN. But some other gentleman might.

Mr. SIMS. Then bring in a report that is not subject to these points of order, and the gentleman will not have any trouble.

The SPEAKER. What motion does the gentleman submit?

Mr. GARDNER of Michigan. This motion has to do with the increase of the commissioners' salaries.

The SPEAKER. Does the gentleman move to recede from his disagreement to the amendment which the Clerk will report?

The Clerk read as follows:

Amendment numbered 1, page 2, line 4, strike out "five" and insert "six."

Mr. BURLESON. Amendments numbered 1, 2, and 3 are on the same subject.

The SPEAKER. The Chair understands that the unanimous consent goes to the amendments which involve the increase of the commissioners' salary.

Mr. BURLESON. That is correct.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amendment numbered 2, page 2, line 5, after "commissioners," insert "one thousand."

Amendment numbered 3, page 2, line 6, strike out "five" and insert "six."

The SPEAKER. Does the gentleman from Michigan submit a motion?

Mr. GARDNER of Michigan. Mr. Speaker, I move that the House recede and concur.

The SPEAKER. The gentleman from Michigan moves that the House recede and concur in these Senate amendments.

Mr. GARDNER of Michigan. Mr. Chairman, no one likes to have his good faith or sincerity questioned on the floor of this House. The gentleman from New York [Mr. BENNET] has twice referred to a semiagreement to refer this to a vote. The other day a motion was made, not by myself, but by another, to suspend the rules and adopt the report. I am not now, nor have I been at any time, averse to submitting this motion to the House. I do feel that every Member of this body ought to vote for this amendment increasing the salaries of the commissioners to $6,000 a year. They earn it. For 30 years they have had $5,000. Originally it was fixed precisely on the basis of the congressional salary. Our salaries have been increased to $7,500, and we only ask $6,000 as a compromise.

Mr. SIMS. May I ask the gentleman a question?

Mr. GARDNER of Michigan. Yes, sir.

Mr. SIMS. Do these commissioners have to incur the necessary expenses of election and a campaign every two years as a Member of Congress does? Why compare them with us? There is no comparison between us?

Mr. GARDNER of Michigan. I will say to the gentleman that the most expensive part of my congressional career has been during my period of residence in this city and meeting the expenses that are made necessary in a moderate way for myself and my family. I have lived modestly all the time—and I am not ashamed to state it—and I never saved a dollar out of my salary at $5,000 a year when my family and myself were here. It has taken everything. What little we have saved we have saved since it was raised to $7,500 and when we have been at home studying and practicing economy there.

Mr. SIMS. Does the gentleman have no campaign expenses to meet every two years?

Mr. GARDNER of Michigan. These gentlemen live here 12 months in the year. They are compelled by virtue of their positions to maintain an establishment such as the gentleman from Tennessee [Mr. SIMS] nor I could not afford to maintain on the salary which we receive now. They owe something to this city of 300,000 people by virtue of their position. They are the official representatives of the entire city. They are visited by official representatives from other cities in every part of the country. They must of necessity show certain courtesies by virtue of the public position they occupy. These courtesies entail expense, and these expenses must be paid either out of their salary or out of their private income. I believe that the laborer is worthy of his hire, and that these gentlemen are entitled even to a moderate salary, enough, if we can make it so, to meet their individual expenses.

Mr. BUTLER. Will the gentleman yield?

Mr. GARDNER of Michigan. I will yield to the gentleman from Tennessee [Mr. SIMS] first.

Mr. SIMS. The gentleman says that the salaries of these commissioners was originally as much as ours. Does not the gentleman know and is he not aware of the fact that every Member of this House is compelled every two years to be sub-

jected to campaign expenses, more or less, in order to hold his position here, which expenses these commissioners under no circumstances have to pay?

Mr. GARDNER of Michigan. That is true. Some gentlemen have to spend, I am told, in a single campaign more than they get in the two years for which they are elected, which is an unfortunate thing if it is true, but that does not justify the gentleman's statement.

Mr. SIMS. I know; but is it not a fact that there are expenses that are legitimate and unavoidable connected with every campaign where a man has political opposition or opposition in his own party for nomination which these commissioners do not have to incur?

Mr. GARDNER of Michigan. Granting that, they have many other expenses which are an offset, and more, too, to those which would arise out of campaign expenses properly conducted.

Mr. SIMS. Does not the gentleman think that the dignity of his office here is as great as that of a commissioner? And does not the gentleman have to spend money on account of his office in Washington that he otherwise would not have to spend?

Mr. GARDNER of Michigan. Undoubtedly.

Mr. SIMS. I do not see that we have any advantage of them in the way of expenditure by residence in Washington.

Mr. BUTLER. Do the duties of the commissioners require their constant attention?

Mr. GARDNER of Michigan. Every hour in the day. No three men in this District work harder than the District Commissioners.

Mr. BUTLER. They have no opportunity, then, to do any other work except the work involved in that office?

Mr. GARDNER of Michigan. I am glad the gentleman raised that question. The chairman of the board of commissioners, and I have this on authority, after a few days in the office, ceased to take his lunch out, and now takes it in the office, and goes there in the morning and stays there until night constantly on duty. He ordered his private desk in his place of business to be wrapped up and to be put in a loft until he gets through as commissioner. He has absolutely abandoned his private business.

Mr. OLMSTED. So as to be on duty all the year?

Mr. GARDNER of Michigan. Yes.

Mr. BUTLER. One of the commissioners has abandoned a business of long standing here?

Mr. GARDNER of Michigan. Yes.

Mr. BUTLER. He has been compelled to abandon his private business?

Mr. GARDNER of Michigan. Yes; he has been compelled to abandon his personal attention to it.

Mr. GOULDEN. Will the gentleman yield?

Mr. GARDNER of Michigan. Yes.

Mr. GOULDEN. I will say to the gentleman that we pay to our gas commissioners and tax commissioners and electrical commissioners $7,500 a year. And let me make another statement in answer to the statement of my friend from Tennessee, that the State of New York limits the campaign expenses of each Member of Congress to $4,000 at each election, and he is pledged to make a sworn statement to that effect, and can not exceed it without danger of having his office vacated.

Mr. GARDNER of Michigan. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER of Illinois. Mr. Speaker, we passed the conference report this morning on the legislative appropriation bill, which had added to it after it left this House $106,000 in increase of salaries. We now have under consideration a conference report which carries increases of salaries after it left this House and came back here to the amount of $54,000, making a total in these two bills in the increase of salaries of $160,000. I desire to say that most of these increases have been in salaries that were already large; not in the small salaries of men who are getting $1,000 or less a year. but in the salaries of those who are already getting the larger salaries from this Government.

Now, then, we are asked to recede and agree to an amendment placed in this bill increasing the salaries of the Commissioners of the District of Columbia from $5,000 to $6,000. The law provides that these salaries shall be at $5,000. Before these salaries are increased in this way there ought to be some legislation taken up by the District Committee, increasing, if it is necessary, these salaries and doing it in a regular and orderly way.

Mr. SIMS. Will the gentleman yield a moment?

Mr. FOSTER of Illinois. Yes.

Mr. SIMS. I would like to state a fact to the gentleman to help him out. It is this: When the last vacancy occurred, when Mr. Rudolph was appointed, very many good men in the District were anxious to get this position of District Commissioner.

Mr. FOSTER of Illinois. Yes. I will say to the gentleman that there has been no difficulty whatever in securing the services of good men, and those who come in always exceed, in the value of the services rendered, those who preceded them; and so far as the qualifications of these men who now hold these important offices are concerned, we have to-day the best men that are to be found anywhere for $5,000 a year.

I think this House ought to fully understand this question—whether we want to go on and increase and increase these salaries which are already high, and yet stand here refusing to increase the salaries of the clerks in the departments, who are getting the small salaries. [Applause.]

Mr. Speaker, I ask unanimous consent to place in the RECORD a table showing these increases.

The SPEAKER. The gentleman from Illinois asks unanimous consent to insert a table of the increases. Is there objection? [After a pause.] The Chair hears none.

The table referred to follows:

District of Columbia.

Departments.	Salaries.		Other items.		New items, expenses, other items.	New items in salaries.
	Senate increase.	Senate decrease.	Increase.	Decrease.		
Contingent expenses	$10,295	$7,400	$4,750		$3,500	$10,800
Improvement and repairs			209,500		467,800	
Streets	30		20,000			
Washington Aqueduct					35,000	
Public schools	70,000	62,400	89,000		201,600	
Police department			3,000		20,000	600
Health department	300				10,000	
Emergency fund			1,000		42,340	
Charities and corrections	2,100		9,700	$95,000	5,000	720
Water department					210,000	
Electrical department	1,400		1,000			
Metropolitan police	18,520					
Fire department	3,450					
Courts	2,580		1,000			
Courts and prisons	1,800		2,000			1,800
Sewers			59,500			
Militia, District of Columbia			2,500			
Total	110,475	69,800	352,950	95,000	995,240	13,920

Total increase, Senate amendments, $1,307,785.
Total increase, Senate, salaries, $54,595.
Total increase, Senate, other items, $1,253,190.

Mr. GARDNER of Michigan. Now, Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. COX].

Mr. COX of Indiana. Mr. Speaker, in opposing the motion made by the gentleman from Michigan, I wish to assure the House that it is no personal matter with me. I am unacquainted with any of these commissioners. So far as I know they are able, brave, and fearless men. But I am opposed to the constant and everlasting increase of the salaries of Government officials, especially, Mr. Speaker, of men who are already getting a reasonable salary. It does not appeal to me at all to say that men occupying a certain position in life have great responsibilities thrown upon them and for that reason they should have their salaries increased. I know, as I have said on this floor time and time again, of no law upon the statute books of the United States or upon the statute books of the different States of the Union that compels a man to accept and hold an office. The moment he finds it to be a losing game, so far as the law is concerned, he becomes free to exercise his own free will as he sees fit, and if he is in office solely for the purpose of making money out of it and is losing money at the game, my advice to him would be to abandon it, vacate, and quit. [Applause.]

The argument that the great city of New York pays some of their subordinate officials the enormous salary of $75,000 a year does not appeal to me. Washington City has not a Wall Street in it, nor have the great cities of the country Wall Streets in them. The great city of Indianapolis, the center of the United States, pays its mayor $4,000 a year. He has been drawing that salary to my knowledge for the last 15 or 20 years, and yet, as every election comes around in the city of Indianapolis there is a tremendous struggle to secure the office of mayor.

I have heard the argument advanced here time and time again as to increasing the salaries of these officials because they have such great responsibilities resting upon them; "they must entertain society," and for these reasons a tremendous expense is entailed upon them. I want to say to the Members of this House that the charwomen that clean the public buildings of Washington likewise have society that they must enter-

tain, and yet few and far between do we ever hear a word said in behalf of that older class of public officials in an attempt to get their salaries increased. [Applause.]

As the gentleman from Illinois has well said, this bill went to the other end of the Capitol, and in the way of increase of salaries alone more than $50,000 was added to it. I challenge the statement that no man can read these amendments in the way of increase of salaries added at the other end of the Capitol, that you will find invariably that the increase goes to some man who is already well paid. I quite agree with the gentleman from Michigan that the laborer is worthy of his hire. They have been hired for this job for the last 25 or 30 years at a salary of $5,000. If it has been sufficient, lo, these many years, what has come over us to-day that will justify us in increasing the salaries now? What new conditions have arisen in the last days of this Congress to justify us in increasing the salaries of these public officials?

This conference report has been before the House on two occasions, and the bone of contention is our failure to get a direct vote upon the increased salaries of these officials. I believe in all sincerity that they are paid well enough, and I hope when the vote is taken that the motion made by the gentleman from Michigan will not obtain. [Applause.]

Mr. GARDNER of Michigan. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 45 minutes of the hour.

Mr. GARDNER of Michigan. I will yield five minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. Mr. Speaker, I doubt if ever before in my service here I have spoken against the increase of any salary, but when I find that it is proposed to raise the salaries of the men who perform the duties equivalent to the duties performed by the mayor of the city of New York to a sum $3,000 higher than is given for the execution of those duties in our rich city, it seems to me that the House ought to pay some attention to the increase.

Mr. TAYLOR of Ohio. Will the gentleman yield?

Mr. BENNET of New York. Yes.

Mr. TAYLOR of Ohio. Does the gentleman know that the executive branch of the District government costs about one-third as much as that of any other city of its size in the United States?

Mr. BENNET of New York. If that is so it is a matter of congratulation.

Mr. FORNES. Does not the city of New York pay for the work equivalent to that performed by the Commissioners of the District of Columbia as much as $75,000 a year?

Mr. BENNET of New York. No, sir.

Mr. FORNES. If you take the salary of the comptroller and the president of the various boroughs, I think you will find that it adds up, in the aggregate, to that amount.

Mr. BENNET of New York. There are, in addition to the commissioners here, various appropriations for executive officers, but the commissioners are equivalent to the mayor, and it is proposed to raise their salary, in the aggregate, to $18,000.

Mr. HULL of Iowa. Does your mayor inspect the sewers?

Mr. BENNET of New York. He makes some report upon them.

Mr. HULL of Iowa. Does he inspect the schools?

Mr. BENNET of New York. He makes, as I say, some report on them. During his term of service Mayor Gaynor has reported on such matters.

Mr. HULL of Iowa. He is the executive head, and these commissioners are both the executive head and have other duties to perform.

Mr. BENNET of New York. There are inspectors to do that work.

Mr. TAYLOR of Ohio. Does the mayor of New York have to do anything that requires an engineer's education?

Mr. BENNET of New York. He has to have very considerable engineering qualities in order to get elected.

Mr. TAYLOR of Ohio. That is true, and that is the kind of quality that the engineering commissioner of the District does not have, but he is an engineer of great ability and does oversee all of the engineering work of the city.

Mr. BENNET of New York. And the mayor of the city of New York, of course, has to spend considerable money to be elected.

Mr. MOORE of Pennsylvania. In order to be fair, is it not true that the work in the great city of New York is subdivided and turned over to bureau chiefs whose salaries would be in excess of those paid the Commissioners of the District of Columbia?

Mr. BENNET of New York. So it is here. There are bureau chiefs and inspectors, and I want to say to the gentleman from Philadelphia, also a great city, that this particular matter of increasing the salaries of these commissioners was introduced into this House in the regular way, in a bill referred in the regular way to the Committee on the District of Columbia, of which committee he is a member, and I want to ask him whether his Committee on the District of Columbia has reported in favor of increasing the salaries of these commissioners?

Mr. MOORE of Pennsylvania. I can only speak for myself, and I would say that I was entirely in favor of increasing these salaries on the basis of merit.

Mr. BENNET of New York. But the committee has not done it.

Mr. MOORE of Pennsylvania. I want to ask another question. In the city of Philadelphia, which the gentleman concedes is a great city, we have five departments under the mayor, the mayor receiving $12,000 a year and these department directors receiving $10,000 a year. Under these department heads are the chiefs of bureaus, to whom the work of engineering or of a special character is distributed, and very few of them receive less than five or six thousand dollars a year. I was wondering whether when the gentleman spoke of Washington being the equivalent of his great city of New York, the greatest in this country, with a population in excess of 4,000,000 people, he was not rather overstating his comparison in referring to a city the size of which in population is not greater, perhaps, than that of the congressional district represented by the gentleman.

Mr. BENNET of New York. The gentleman did not catch my comparison. I said that the office held by the three commissioners was equivalent to the mayoralty of the city of New York, not that the work done by them was equivalent to that done by the executive department of the city of New York.

The SPEAKER. The time of the gentleman has expired.

Mr. GARDNER of Michigan. I yield the gentleman three minutes more.

Mr. MOORE of Pennsylvania. Just one more question. Is it not a fact that the Commissioners of the District of Columbia do very largely this specialized bureau work that is assigned in the large cities to separate branches of the government?

Mr. BENNET of New York. Mr. Speaker, a conclusive answer to the gentleman is this: If the Committee on the District of Columbia, of which he is a member and which has the charge of legislation increasing the salaries of these commissioners, think they ought to have a larger salary, let them report out the bill. Do not let them get it on an appropriation bill without a hearing, without going before the proper committee, without going before a committee where we can ask them about their work in connection with the snow removal, which has been criticized——

Mr. MOORE of Pennsylvania. The gentleman knows that sundry efforts have been made to get these bills before the House, and that those efforts have failed.

Mr. BUTLER. But why have not you reported the bill?

Mr. BENNET of New York. And, furthermore, where we could ask them in connection with such things as the letter of the Attorney General of the United States, who wrote to Mr. Wendell that the smoke ordinance, which is of importance to the health of the city, was not being enforced, and that the District Commissioners ought to be prodded up. On top of their failure to remove the snow, on top of the charges in connection with taxation, without a word of explanation, these men come before us and ask for an increase of $1,000 a piece. What reason is given except that it costs them a good deal more to live? Let them live on less, then, unless they are willing to go before the proper committee of Congress and give an explanation of why they ask this increase in salary.

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, the government of the District in Washington is unique. There may be in other cities of the country smaller in size a similar form of government under the commission form of government, but there is no city, to my knowledge, of the size of Washington that has the present form of commission government. It is not necessary for me to direct the attention of this body to the fact that in no city of the country have the administrators of the government been vested with as large control over its administration and particularly over legislation as here in Washington. The commissioners are not only the administrative branch of the government, but they largely take the place of the legislative branch, which enacts the legislation that is necessary for the government of this District.

Any Member who is acquainted with the District legislation which comes before this body knows that most of the legislation, if not all, is first submitted to the District Commission-

ers, and upon their visé it passes through this Chamber. Instance has been directed by the gentleman from Pennsylvania to salaries paid to department chiefs in Philadelphia, where, under the Bullitt law, the old form of government was changed, and instead of a common council, in vogue in many cities, performing administrative duties, those administrative duties and responsibilities were vested upon five executive heads at salaries of $10,000 each. It may be true that we can get men at less salaries, but the question is whether these men who are now filling the offices here are capable men of the value of $6,000. No suggestion of any wrongdoing or incapacity or inattention to duties has been made in regard to the present commissioners. It is admitted that under the commission form of government now existing here in Washington we have one of the best governments that can be found anywhere. One of these commissioners—the engineer commissioner—is acknowledged to be a man of ability in his special line. It was my pleasure when he was district engineer in Milwaukee to have frequent meetings with him concerning the engineering work at Milwaukee. It has been universally acclaimed since his coming here two years ago that he has made good, and Maj. Judson, as well as the other commissioners, with whom I am not acquainted, I believe are entitled to receive $6,000, so that they may be honored in a slight way for the excellent work that they are doing for this Government. During this session of Congress and in prior sessions I have scanned in my leisure moments the legislation that has been reported, and I wish to say the recommendations of the present commissioners are much superior to those who have gone before.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. STAFFORD. For a short question.

Mr. JOHNSON of South Carolina. Is the engineer commissioner of the District of Columbia an Army officer?

Mr. STAFFORD. He is.

Mr. JOHNSON of South Carolina. Is he a graduate of West Point?

Mr. STAFFORD. He is.

Mr. JOHNSON of South Carolina. He has been educated then by the people of the United States for the public service?

Mr. STAFFORD. He has.

Mr. JOHNSON of South Carolina. And draws his pay to which his rank entitles to him?

Mr. STAFFORD. Yes; I concede all that, but he is located here in the city of Washington where his expenses are much greater and where he is performing every minute of the day a great work. We have also Army engineers engaged in the same character of work down on the Canal Zone who are being paid $17,000, ten or twelve thousand dollars in excess of their pay under the Army, and yet the gentleman himself would not say, although they are in the regular corps of the Army, that they should not receive additional pay for the additional responsibility cast upon them. This District Engineer is performing more work, added work, and I do not think the gentleman himself will contend for a moment that this District Engineer Commissioner is not a man who has not made in every way an exemplary record which would entitle him, as well as these other commissioners, to the increase of $1,000.

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN.]

Mr. MADDEN. Mr. Speaker and gentlemen, the position of District Commissioner is a position of great honor, and there is not a man in the District of Columbia that is not anxious to secure the appointment. And the honor alone is sufficient to induce any man to occupy the place, and to seek it, and there is always a scramble for appointment to these places.

The District Commissioners are not called upon to do all this detail work that has been described. They have several assistant commissioners, and these assistant commissioners are the men who understand the details of the work of governing the District. And I want to say to you from personal knowledge that when information is sought to be obtained about what is to be done, and how to be done, and when to be done, and where, the assistant commissioners are the men who possess the information upon which action can be taken.

We have bureau chiefs in the District similar to bureau chiefs in every great city government in the country. We have a superintendent of police, who has jurisdiction over the police department; we have a chief of the fire department, who controls the action of that great body; we have a commissioner of health, who is charged with the responsibility of looking after the sanitary conditions of the District; we have a superintendent of sewers, who looks after the construction of sewers; we have a man in charge of the extension of the water system of the District; we have a superintendent of buildings, whose duty it is to see that the buildings are erected in accordance with the laws of the District. We have inspectors in every branch of the city government, charged with the responsibility of seeing that the details of the work are properly carried forward. We have a corporation counsel charged with the responsibility of seeing that things are done in accordance with the law. We have a city architect who is charged with the responsibility of seeing that plans for public buildings are drawn in the way in which they should be drawn. We have a man, in fact, who is supposed to be an expert, in charge of every bureau of the government of the District of Columbia, and the Commissioners are not overloaded with the work which comes to them by reason of their appointment to this office.

Mr. GOULDEN. Will the gentleman yield to one question?

Mr. MADDEN. Certainly.

Mr. GOULDEN. Who is responsible for all these bureau chiefs, superintendents, and commissioners? Who are held accountable for them?

Mr. MADDEN. The commissioners have the power to appoint these men, and I regret it. I regret that the appointment to every place within the jurisdiction of the commissioners is made as the result of political pull instead of as the result of merit, found by examination; and no such increase of salaries would be reported from the other end of this Capitol were it not for the fact that every man whose salary is to be increased is upon the pay roll on account of political pull. That is the difficulty.

As a matter of course, if the commissioners are good to people who want places and do, as the result of these appointments, increase the expenses of the city government, why, it is the most natural thing on earth that recommendations should be made for an increase of the salaries of the men who are good to the people who want the places.

I served on the Committee on Appropriations for four years, and on the subcommittee in charge of this bill, and I never voted for an increase of any man's salary or for an increase of any place which did not appeal to me as necessary for the proper conduct of the government of the District of Columbia. These commissioners could afford, because of the prominence and honor which is conferred upon them by reason of their appointment, to serve free of cost, and they would be glad to do it. The mere fact that they would be called upon by reason of their appointment to do social work is no reason for an increase in their salaries. [Applause.]

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. MOORE of Pennsylvania. The gentleman speaks of the social distinction and honor attached to the position of Commissioner of the District of Columbia——

Mr. MADDEN. Yes.

Mr. MOORE of Pennsylvania. Is not the position of Member of Congress an honorable place?

Mr. MADDEN. I hope it is.

All the men who occupy these great places as commissioners are rich, and they are appointed because of the influence that is exerted by the rich people of the District, not because of any special qualification which they have for the performance of the duties which come under their charge as Commissioners of the District, and I hope we will not vote to increase their salaries. [Applause.]

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, I heartily favor increasing the salaries of the District Commissioners. It is true, as has been suggested by the gentleman from Illinois [Mr. MADDEN] that two of the commissioners are wealthy men——

Mr. MADDEN. Surely they are——

Mr. BURLESON. But the other commissioner, the engineer commissioner, if he is a man of wealth it is news to me, and I am quite sure it will be news to him, if such information is brought to him.

Mr. Speaker, it is only fair to state that the movement for an increase of these salaries did not originate with the District Commissioners. These gentlemen did not come before the Committee on Appropriations requesting this increase. The matter was brought to our attention by the taxpayers of the District of Columbia, who will pay one-half of the increase if same is granted. Representatives from the two great commercial organizations of this city—the board of trade and the chamber of commerce—consisting of the largest taxpayers in the city, came before the subcommittee having charge of the preparation of this bill and urged that these salaries be increased to $7,500 per annum.

Mr. FISH. Will the gentleman give way for a moment?

Mr. BURLESON. Certainly.

Mr. FISH. I would like to ask the gentlemen why those taxpayers did not come before the proper committee when this question was up before the District Committee?

Mr. BURLESON. I think they did come before the proper committee. They came before the only committee from which they thought they could secure relief. I do not want to be diverted from the issue before the House to a discussion of the failure on the part of the District Committee to act in this matter. We all know that the District Committee has been able to secure action on but few bills at this session of Congress. The citizens of the District of Columbia knew the situation here as we know it, and, consequently, desiring that something be done, they brought the matter before the Committee on Appropriations. But, Mr. Speaker,,all this has no bearing upon the issue under discussion.

I want to call attention to the fact that the salary of the District Commissioners was fixed in 1879 at $5,000. At that time this was a city of 177,000 inhabitants. At that time the annual expenditures of this city amounted approximately to $3,200,000. Since that time the city has increased to a city of 350,000 inhabitants, and its expenditures have increased to over $12,000,000 for each fiscal year. The responsibility for the expenditure of this vast sum of money rests upon the shoulders of the three men appointed by the President of the United States as District Commissioners, and I challenge any Member of this House to name any officer of this Government who is called upon to expend and who is made responsible for the expenditure of $12,000,000 a year who is paid so small a salary as is paid to these District Commissioners.

The gentleman from Illinois [Mr. MADDEN] says they are given assistant commissioners to aid them. If there is any such office as "assistant commissioner" in this District government I have never heard of it. They are given subordinates, just as subordinate officials are found in the government of every other city of the United States, but I venture to say that there are fewer subordinates of the higher class in the government of the District of Columbia than in the government of any other city of like size in the United States.

Mr. MADDEN. Will the gentleman yield?

Mr. BURLESON. Yes.

Mr. MADDEN. Does not the gentleman from Texas know that they have two assistant engineer commissioners, Army officers?

Mr. BURLESON. Oh, yes; there is no question about that. We have two assistant engineers. They are assistant engineers rather than assistant commissioners, and they are called "engineer commissioners" only because they are employed under the engineer commissioner's department.

Mr. Speaker, I do not hesitate to say that the city of Washington, in the conduct of its municipal affairs, is as free from graft and corruption and enjoys as economical administration of its affairs as any city in the United States, and no little credit for this is due to the character of men who now hold and have held the office of commissioner. I would be only too glad to institute a comparison between the administration of municipal affairs in the city of New York, or the city of Philadelphia, or the city of Indianapolis with that of the city of Washington. I venture the assertion that if we could get at the actual cost of administration of the city of New York we would find that the amounts paid there for administration are out of all proportion to what is being paid to the District Commissioners.

I will venture the assertion that if we could get at the cost of the executive department of the city of Philadelphia we would find that that city expends $10 for every $1 that is expended for the same purpose in the city of Washington. [Applause.]

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. TAYLOR].

Mr. TAYLOR of Ohio. Mr. Speaker, I want to say what I said at the time the bill was before the House in Committee of the Whole—that the committee, after careful investigation of the merits of this salary increase, were in favor of it and believed it just to appropriate for it. As my colleague from Texas [Mr. BURLESON] has said, this salary was fixed at $5,000 in the year 1879, at which time Congressmen then received the same salary. But I do not want to present this case upon the basis that because we have raised our own salaries we ought to raise these. My earnest desire is to fix the compensation for public servants commensurate with the services performed, and $6,000 to the Commissioners of the District of Columbia, it seems to me, is not too large a salary for the services that they perform for the District government and the people.

Now, Mr. Speaker, remarks have been made by the gentleman from Illinois and others intimating that two of the commissioners are men of means. I am informed that they are guilty of this most heinous offense, and have accumulated some money for themselves by honorable and legal means. But do we want to leave the salary one that will make the office acceptable only by men of means? Are we to consider a man's private means when considering his public service to the people? Many Members of this House, and a good many Members of the United States Senate, who regularly step up to the Sergeant at Arms' desk and draw $7,500 in salary, do it regardless of their private means.

Now, Mr. Speaker, speaking of one commissioner who is so fortunate as to be poor, the Engineer Commissioner of the District, let me tell you what we are paying him now out of the revenues of the District: One hundred dollars per year, and the General Government pays him another $100 because his salary and allowance as major in the Engineer Corps bring his income up to about $4,800 of the $5,000 salary allowed by law. Therefore we are only increasing his salary for the extra services that he is performing as commissioner and engineer to a sum total of $1,200.

I want to call attention to one other fact, and that is that this man earns his salary two or three times a year in the splendid engineering work which he is bringing to a final fruition under his jurisdiction. There are two other engineers under assignment, both able engineers, one of them Maj. Cosby, some eight or nine years Maj. Judson's junior, who is Superintendent of Public Buildings and Grounds attached to the White House, and he has a salary allowed by law of $6,000 per year, $1,000 more than Maj. Judson receives, without, I am sure, the same responsibility. There is another major still more years his junior, Maj. Cavanaugh, attached to the Rivers Board by special assignment under a special act of Congress, and he receives during his time of assignment a salary larger than that of Maj. Cosby. Therefore we are not doing an unusual thing in giving a man, even if he be an Army officer and a ward of the Government in his youth, a little extra money for performing for people of the District and the people of the country at large such splendid services a small compensation in the sum of $1,200 more than he would be allowed if detailed to regular work as an engineer officer of the Army, without the tremendous responsibility that he has as commissioner of this District.

Mr. MANN. Will the gentleman yield?

Mr. TAYLOR of Ohio. Certainly.

Mr. MANN. Is it not a fact that, in the case of Maj. Judson or any other officer of equal rank, it is a financial loss to him to be engineer commissioner of the District?

Mr. TAYLOR of Ohio. The gentleman is entirely correct, and I was coming to that. I know that Maj. Judson, while a soldier, could not do other than to assume the duties assigned to him by the President of the United States, very much regretted that he was called upon to come here, solely on account of the financial loss and the added expense in which he would be involved, without any added compensation therefor.

Mr. GARDNER of Michigan. I yield two minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, a few years ago President Roosevelt appointed Mr. Reynolds to make a study for a proper government here, and Mr. Reynolds reported a scheme of government under which you would have a governor or mayor or one head with a lot of subordinates. That head was to get $10,000 a year, and that proposition was fought tooth and toenail by the District Commissioners and by the people here generally without one word about the salaries not being sufficient then, and they showed and claimed, and I think satisfactorily so, that they had the best service that any city had in the United States and were paying less for it. Now, when Mr. Roosevelt proposed to change this form of government why were not these gentlemen then in favor of it, by which a governor or a mayor would receive $10,000 a year.

Then, there is another thing. Nobody pays any tax in this city on personal property—intangible. Bonds, stocks, money by the millions go untaxed. Put this on if you want to, and put a personal tax on these untaxed millions that men have made in other States, and who have come here to live to avoid paying taxes in performing their duties as good citizens in those States where they made this money. Increase your taxable resources by putting the intangible property on the list, and then increase your salaries and pay the increase out of the District revenue and nobody will kick; but as long as you are going to make the people of the United States pay one-half of that increase, I say you, as representatives of the people, had better not too lightly increase the salaries of people of the city where there is not a dollar of taxes paid upon bonds and stocks and money.

GUAM AND PORTO RICO.

Mr. GARDNER of Michigan. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address by Commodore George L. Dyer, United States Navy (retired), before the late Mohawk conference on the subject of Guam, and a similar address on the same occasion by Representative PARSONS, of New York, on the subject of Porto Rico.

Mr. SPEAKER. Is there objection?

There was no objection.

The addresses referred to are as follows:

[Sixth session, Friday evening, Oct. 21, 1910.]

The CHAIRMAN. Our first address of this evening will be that of Commodore George L. Dyer, of the United States Navy, formerly governor of Guam, who will speak on conditions in that island.

GUAM.

(Address of Commodore George L. Dyer, United States Navy, retired.)

In the discussion of the subject of "Our Dependent Peoples," the very interesting population of Guam, in the Mariana Islands of the western Pacific, and of Tutuila, in the Samoan Islands of the southern Pacific, should not be omitted. Owing to my association with the former I am able to speak of it with a degree of authority. Of Tutuila I know nothing from personal experience. Both depend on the Navy Department for administrative control and both are of service to it as coaling stations of limited development. Some of the problems which American administrators have to deal with in the Philippines are found, in a minor degree, in Guam. The difficulties of their solution, however, are mitigated and their number few. Guam has a homogeneous people, not at all inclined to turbulence. Its small area, comparatively, prevents any attempt, even if desired, to make combinations against established authority. The amusing tale will be remembered of its capture, in 1898, by the cruiser *Charleston*, then on her way to Manila to the assistance of Admiral Dewey. The Spanish governor sent his aide to express His Excellency's regret that, for lack of powder, he was unable to return the American's salute, ignorant that war had been declared, and thinking that the shooting of the *Charleston*, at various apparently fortified points in the harbor, was intended for the honors to the Spanish flag.

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GEOGRAPHICAL POSITION.

Guam, discovered by Magellan, is the largest and southernmost of the Mariana Islands, which, with the Bonin Islands, form a chain for 1,300 miles south of Japan. The name "Ladrones" (Thieves), usually given to these islands by American and English cartographers, is not used by continental peoples, and is very distasteful to the islanders. The title Marianas has been officially adopted for all Government publications.

In all that general region of the Pacific, Guam is the sole island possessing the combination of a good harbor and a plentiful supply of potable water at all seasons. Others have one or the other, but not both. It is a central station for ocean cables from the United States, via Honolulu; from Japan; from China, via the Philippines; and from Java, via the Celebes, and Yap in the Pellew Group, 500 miles southwest of Guam. It has a Federal wireless equipment and is also the advanced meteorological station for the very efficient Philippine weather bureau. Owing to its distance from the United States—5,600 miles—its commercial isolation and its political insignificance, little attention is shown to Guam. Much ignorance prevails concerning it among people of very considerable general information. Interest will be livelier when it falls into the hands of the powerful nation nearest to it. In explaining its location I have found it useful to ask my auditors to consider the North Pacific as an ellipse with the Hawaiian Islands at the eastern focus and Guam at the western. Honolulu is 2,200 miles west of San Francisco and Guam is 2,100 miles east of China, the Philippine Islands intervening. Guam is in the same latitude as Jamaica, 13 degrees north, to which, in some respects, it is similar. Our island contains 214 square miles, is 32 miles long, and between 6 and 7 miles wide. Its surface is broken, the northern part being a high plateau, the southern a series of hills, of which the highest is 1,300 feet. In this portion numerous small rivers flow through narrow valleys of great fertility, with hill slopes covered with valuable hardwoods. The tableland before referred to, heavily wooded in some places, is the principal farming section, although the native ranches are scattered throughout the island. Most of the timber lands belong to the United States. Mr. Pinchot was entirely favorable to the request, made during my time, for a dendrological survey. An attempt was also made to enlist the interest of the Geological Survey, traces of minerals having been found in various places.

PEOPLE.

The original population of Malayo-Polynesian has been greatly modified by Caucasion and Filipino blood introduced by American and English whalers, Spanish and American sailors and soldiers, Filipino convicts, Mexican cowboys, and waifs of other nationalities. The result is the Chamorro people of to-day, a sturdy, well-developed, prolific, and fine-looking race, in number about 12,000, with a birth rate which, since the American occupation, has been steadily increasing. They live in nine towns, each of which, except Agana, contains about 500 people. Agana, the capital, contains 8,000. They are all farmers; the officials, the traders, the mechanics, all of whom form but a small class, having their farms also. Each family is self-sustaining. If a native wishes to build a house he gradually collects the materials and then summons his relatives and friends to assist. Each family has its beast of burden—carabao, bullock, or cow—and a two-wheeled cart for the means of transport between town and ranch. According to the remoteness of the farm they fix the number of their visits to town during the week. Saturday always finds them there for the Sunday church services. On Mondays the whole population is up for early mass at 4 o'clock, and off to the ranches before 7. These customs are not allowed to conflict with the school regulations, and families often suffer, willingly, serious inconvenience on this account.

A more universally contented and independent people can scarcely be found. The conditions of their lives are most simple; there is no real poverty. Differences in social advantages are insignificant. Each family has a town and country home; existence goes on with little friction. They are devout and practical Roman Catholics, a gentle, subordinate, cheerful, and lovable race. Hanging over them, however, is the dreadful menace of the earthquake and the hurricane, both of which have scourged them often and both of which will surely come again.

LANGUAGE.

Their language is usually classed as Micronesian. It has a large infusion of Spanish words, much corrupted in pronunciation. The well-to-do class speaks Spanish with fluency, while the poorer class understands it but little. Since the present system of schools was established the native children have gained a very considerable practical knowledge of English, so that the diffusion of that language is now much more general than the Spanish ever was.

ADMINISTRATIVE ORGANIZATION.

For administrative purposes the island is divided into four counties, each represented by a resident native commissioner, appointed by the governor. His powers are confined to police jurisdiction, with authority to try, as justice of the peace, a certain class of criminal cases of minor gravity. The more important cases are tried in the island court, also presided over by a native judge, who sits in Agana. Appeals lie to this court from the justices' courts, and in certain cases from the island court to the court of appeals of the island. The island court is the same as existed under Spanish domination, under the title of court of first instance, and is similar in jurisdiction to the present courts of that name in the Philippines. The court of appeals, as at present constituted, is a creation of my own. Under the Spanish, appeals from the court of first instance in Guam lay to the audiencia in Manila, Guam then belonging to the political division of the Filipinas.

With the entire independence of Guam, under the United States, and in the absence of all regulation by law of Congress, the earlier American governors constituted a supreme court to consist of the governor himself. The time had come and the material was available to form a court of natives, five in all, with an Americanized Spaniard (living permanently in the island and married to a native) as chief justice. This has now been in successful operation for about six years. The people of Guam are not litigiously inclined, and there are few cases which fall outside the justices' court. Crimes of violence are rare. There have been two, possibly three, trials for murder in the last seven years. The ill-defined boundaries of property are the cause of occasional differences, which are usually adjusted without difficulty by the governor. The Spanish law prevails, modified by the decrees, not numerous, of the several governors. Congress has never legislated for Guam, except to include in the appropriation bills certain items for the naval station. The President, in 1899, issued a short Executive order covering the customs tariff for the island, and in 1901 another defining the accountability for insular funds. The last law regulating the tariff between the Philippine Islands and the United States included Guam. These are the only legal restraints emanating from the Government on the action of the island administrator. Neither has the Navy Department issued special regulations to limit or control or advise his course. He is bound to observe the naval regulations, but, as a matter of fact, he is the most independent official I know of and possesses practically the power of a benevolent despot over an absolutely helpless people. I am happy to say, however, that the choice of the Navy Department for governors has usually fallen upon men of elevated purposes and intelligence, each of whom in turn has carried along the work with industry, devotion, and success.

In addition to the judges the other native officials are the island attorney, who is also the prosecuting officer, registrar of lands, deeds, and titles, and the custodian of the commercial register; the island treasurer and assistants; the clerk of the courts; the warden of the jail, who is also the county commissioner of Agana County. The naval surgeons are the sanitary inspectors. The commissioner of schools is an American, as is the collector of customs. The school-teachers are both Americans and natives of both sexes. The island officials and all public improvements not made for the efficiency of the naval station as such are paid from the revenues of the island.

REVENUES.

These revenues come from customs duties, licenses, fines, permits, a poll tax, and a land tax. For the purpose all lands are assessed yearly by a board of intelligent natives, whose assessments have given satisfaction to the taxpayers. It was a question whether the imposition of this tax, an American innovation, was an advisable measure. There is a tendency among the natives to abandon their farms and congregate in the towns, depending on Government employment for support. It is the effort of each governor to counteract this, and the land tax, or a portion of it, is often remitted partly on this account.

PRODUCTIONS.

The principal item of export is copra, the dried pulp of the cocoanuts. This is bought up by the Japanese traders, who, until recently, have enjoyed the entire transportation business of the island and consequently have fixed the price in merchandise at the lowest figure which would keep the industry alive. Within two years the Government transports, touching at the island monthly on the outward trip, have been carrying freight for private individuals at reasonable rates. This has reduced the prices of necessaries and affected the price to the natives of copra. Some timber in trimmed logs is exported to Japan, whither all the copra goes, but the amount of the former is insignificant. The natives raise about everything they eat—corn, rice, beans, sugar cane, coffee, cocoa, tobacco, and all the tropical fruits, with the exception of the alligator pear. This exception, also true at that time of the Philippines, as far as my inquiries went, seemed so extraordinary that I endeavored unsuccessfully to discover the reason. Seeds were early secured from Honolulu and the resulting trees are now bearing. To the frequenter of the Tropics the absence of the avocado (alligator pear) is a serious deprivation.

The cultivation of rice was not so extensive as it should have been, large areas suitable for it having been gradually abandoned, necessitating an increase in the quantity imported. It was hoped that the rebuilding of bridges long since destroyed and the extension of good roads into localities favorable to rice cultivation would stimulate its production, and such, I believe, is the case.

There is a small herd of cattle in the island which provides a limited supply of meat, sold twice a week at Agana at a market belonging to the island. The regulations imposed to restrict the depletion of the herd of beef cattle are carefully observed, also the sanitary conditions connected with the slaughter. In addition to the beef cattle there is a large number of carabao, or water buffalo. These are the real working animals. They are occasionally slaughtered for meat, which is very tough. Hogs, goats, and chickens abound, but no sheep. There are a few scrub ponies. Bees have been successfully introduced quite recently.

Strangely enough, no natives follow the pursuit of deep-water fishing, and yet they are very fond of sea food.

At low tide a few men and women wade about the reefs catching shellfish and small fry in the pools and crevices for their own use. As an industry, however, fishing does not exist. To supply the market and to teach the natives, 8 or 10 Japanese fishermen were introduced, with their boats and tackle, and certain inducements offered the natives to engage in the business. Contrary to my hope, however, the Japanese devoted themselves entirely to catching turtles, which, indeed, found ready sale and added a valuable food product. The coast of the island does not offer convenient places for the harboring and launching of boats, although there are a few such. This does not account, however, for the scarcity of native boats. The devotion of the entire population, practically, to bucolic pursuits is one reason, but hardly sufficient to explain why these Pacific Islanders are so little given to aquatic adventure.

The preceding refers entirely to the food products enjoyed by the natives. Some milk is peddled about Agana and, of course, the usual tropical wild food products—breadfruit, banana, guava, mango, etc., are plentiful. In addition to island contributions the American colony has the advantage of supplies brought in the refrigerators of the transports. These are placed at once in the large cold-storage rooms of the naval station ice plant, at the cost of the owner, and distributed during the month intervening before the arrival of the following transport. All the delicacies of the San Francisco market are available at prices not unduly raised by high rates of carriage.

THE AMERICAN COLONY.

This consists of the governor—a naval officer of rank, who is also commandant of the naval station—his aide, and several officers who represent the various bureaus of the Navy Department. There are four or five medical officers, several clerks, hospital atttendants, a printer, a plumber, machinists, carpenters, foremen of public works, officers of Marines and their detachment of 100 men, the naval station band, the officers and crew of the station ship, and the cable station staff of 8 or 10 employees. All these, with the families of many, form a usually harmonious society, in which social distinctions are not too carefully drawn and which is sure to contain a diversity of talent sufficient to afford a pretty constant entertainment.

The foreign colony, for intimate social purposes, numbers about 30 people. On general occasions the superior native families participate, and the younger women especially, with their gentle manners and attractive appearance, add a very charming feature, for, be it known, "Butterick's Fashions," the English publication "The Queen," and others similar are common in Guam, and every family possesses a sewing machine.

THE CURRENCY.

We had our troubles with the currency. The first difficulties incident to the reorganization of the island government, then the destruction wrought by an unusually violent hurricane, followed, a year or two after, by a record earthquake, occupied fully the attention of the first American governors in instituting order and in starting the usual activities of life. When I came along the normal course of affairs had been fully reestablished. It was a favorable moment to turn attention to matters of general progress. There were at this time three kinds of currency in use—the United States currency, paid out to the officers and enlisted force, and put in circulation by them; the Mexican dollar, in general use, paid out for labor in connection with the naval station; and the old Spanish-Philippine currency, also in general use, and paid out, with the Mexicans, by the island government for labor and supplies. The two last named has been demonetized in the Philippines and the Spanish-Philippine coin possessed in the outside world only its bullion value. We found that the Japanese traders were buying it up somewhere, presumably in the Philippines, and shipping it to Guam, via Japan, and using it to pay their customs dues. At the same time they were exporting American silver and Mexicans as rapidly as they could accumulate them. The bad money in the island treasury was rapidly increasing and the good disappearing.

It required a radical and arbitrary measure to stop that, and a moment was carefully chosen (when, to the best of our information, the least damage would be inflicted) to interdict the use of the Philippine currency in any transaction in which the island government was interested, such as receipts for customs, payment for salaries, labor, and supplies. This was effective without serious harm to any. There were some cases of loss where there had been hoarding, but as the Spanish-Philippine currency continued in circulation among the traders for some time without a very rapid depreciation no distress occurred. I would have liked to have done the same with the Mexican currency. This has been done since, but it was then in general circulation throughout the East. The "Mexican," while about the size of the American dollar, had only half its value. The natives would not willingly accept as an equivalent for his labor a piece of money half the size of his customary coin, or one of similar size in place of the two he had been used to receiving. The moment to continue the process of simplification was not propitious.

In this connection we were watching with much interest the movement in the Philippines for the establishment of agricultural banks, following the plan of Lord Cromer in Egypt. With a longer tenure of office a bank would have been attempted, but there were so many things requiring immediate attention, with the limited staff of competent assistants at our disposal, it was not possible. It should be done. The exactions of the usurers are great, and the native farmer can hardly be expected to rise above the level which this disability, with others, imposes. A postal savings department in the Federal post office in Guam will be of benefit.

PUBLIC IMPROVEMENTS.

The Spaniards had constructed a very good road from the harbor 6 miles to Agana, the capital. This the Americans have vastly improved, making necessary fills, deeper cuts, strong cemented stone retaining walls, and better bridges. The road, nearly level throughout, runs along the coast very close to the shore, skirting promontories where feasible, or cutting through them. Deposits of clay mixed with lime, called "cascajo," exist everywhere, and this, laid on a proper foundation, affords a very excellent road material. As a consequence the highways, which are 16 feet wide, are quite equal to the best roads anywhere. Their extension has been going on steadily since the American occupation, and they now reach to remote parts of the island. This has required the construction of numerous bridges and, in the southern part of the island, rather formidable fills. The road mender system prevalent in Europe was inaugurated, a man to a section permanently at work. The anchorage in the harbor is very deep and ships are forced to lie at a long distance from the landing by reason of a shelf of coral sand and rock which forms a sort of rim about the harbor, varying in width, covered to a depth of about 3 feet at high water. This shelf has pockets or wells in it here and there, between which a rough sort of channel had been cleared to allow boats of light draft to pass across at half tide. It was very evident that a channel available for lighters at all stages of the tide was a necessity. This was undertaken immediately. We had a very rough equipment to start with—a scoop road scraper attached to a hemp rope hauled toward an anchored scow by a hand winch fixed upon it, and later a power winch and wire rope. With the occasional use of dynamite, a force of 20 natives, under Chief Carpenter Johnson, of the Navy, who worked in the water with them, keeping them steadily at it, part of the time at night, in just one year made a channel 50 feet wide about 1 mile long, and 4 feet deep at low water. We were then certain of our frozen supplies, particularly the meat, which, in prechannel days, under the tropical sun, had been several times detained in shallow places on the way from the transports to the shore, until rendered unfit for consumption. This channel has since been made deeper and kept clear by a regular modern suction dredge sent out at my earnest solicitation, followed up by that of my successors.

Another improvement of great value was the placing of buoys to mark the entrance to, and the submerged dangers in, the harbor, and particularly the mooring buoys, each fastened to a bridle of very heavy chain attached to three enormous anchors spread out triangularly. The transports were safer during their short stay in the harbor, after these buoys were placed, as it has an unfortunate reputation during the hurricane season among seafaring men. For lack of mooring buoys, one United States ship, the *Yosemite*, had been lost there and the cable ship *Scotia* totally wrecked at the mouth of the harbor for want of proper entrance buoys—both since the American occupation.

Many other improvements of less importance were commenced and have since been completed, but the greater of all measures were those for the amelioration and conservation of the public health and the establishment, on a permanent basis, of the public schools.

SANITATION.

Most of the people live in Agana, where about 8,000 are congregated. This is located on a nearly flat shelf near the ocean, having a height of about 7 feet above high-water level. The Agana River, a small stream, flows through the town with sufficient current to be saved from pollution, and this is used by the natives indiscriminately for every conceivable purpose except drinking. Its ultimate effect is undoubtedly beneficial, for all the town washing is done there and it affords a public bath much frequented. The drinking water is drawn from surface wells, 7 or 8 feet deep at most, which are numerous all over the town site, and which have been infested for generations with the germs of the lumbricoid worm. It is surprising that the Chamorros have survived this pest, for it is present in their bodies all through their lives, probably without exception, in such quantities as to stagger belief. The Americans do not escape it entirely. By using the distilled water at their service and keeping careful watch on the preparation of their food, they are usually immune. This has been both an indirect and a direct menace to the efficiency of the naval station. The attention of the American governors, therefore, was early devoted to the introduction of pure water. A careful examination of the sources available was made by an expert, who selected a hill stream near the town of Agana, and, after an instrumental survey, made an estimate in detail for an impounding dam reservoir, distributing pipes, and hydrants for an efficient service, costing $50,000. After several years of earnest effort on the part of successive governors, the appropriation was finally secured from Congress, and the present governor, Capt. E. J. Dorn, United States Navy, wrote me by the last mail that he had had the supreme satisfaction of turning on the water from the completed system, thus inaugurating the physical regeneration of a small nation.

With the disappearance of the lumbricoid worm and the construction of an already planned tuberculosis camp in the hills, other diseases from which the natives suffer will either disappear or be sensibly modified.

The lepers were early segregated and have been carefully watched and studied, everything being done to ameliorate their pitiful lot. And within the last few years the same course has been pursued with the victims of gangosa, a terrible disease which seems peculiar to Guam. In this the upper part of the face is destroyed by slow ulceration. The naval medical officers have made great progress in the successful treatment of this. They have demonstrated practically that it is a condition resulting from inherited disease introduced originally by the western foreigner. Recent advices from the island are that segregation for gangosa has been discontinued. And here I would like to say that to the untiring efforts of the naval surgeons, their unselfish devotion, and their high professional skill both natives and governors owe a debt of gratitude indeed.

The lack of pure water, the principal factor in a campaign for sanitation, did not deter us from making efforts in other directions possible of attainment. The entire population was vaccinated and measures taken to insure a constant supply of fresh virus and an effective rounding up and treatment of nonvaccinated individuals. This had never been done. The hospital for enlisted men, which included a ward for native men, inaugurated by a former governor, was enlarged, put in thorough repair, and a well-equipped operating room added. Through the efforts of my wife a hospital was established for women and children. For the first time in the history of the island, after about 300 years of Christian occupation, there was provided a suitable place for their medical treatment outside of their crowded and unsanitary homes. This was urgently needed. At the universal request of the natives it was called the Susana Hospital, Susana being the Spanish equivalent for Mrs. Dyer's Christian name.

The women are shy and reserved. It is difficult to get them to speak of their ailments and almost impossible to make them follow medical advice. It was obvious that in any far-reaching scheme for health improvement their interest and cooperation must be secured. The only way to do this was to establish a hospital for their sole use where they could be sent, forcibly if necessary, and where a class of native nurses could be trained. These could go among their sisters, secure their confidence, teach them the importance of cleanliness as it affected their health and that of their families, and finally work a change in their attitude toward medical attention. This would have been impossible of accomplishment but for Mrs. Norman McLean, wife of Surg. McLean, of the Navy, herself a trained urse, who undertook the task of instructing a class of native girls. A Women's Hospital Aid Association was formed, composed entirely of native women, whose duty it was to seek out subjects for medical aid, to induce them to apply voluntarily at the hospital for treatment, and to see that their children and homes were cared for during their absence; also to report cases urgently requiring attention when they refused to present themselves or to notify the proper authority of their condition. The hospital fees were fixed at a low figure and an attempt made to graduate them according to the means of the patient, which it was the office of the Woman's Aid Asso-

ciation to determine. There are but few people in the island abjectly poor.

As an adjunct to the hospital a dispensary and pharmacy has since been equipped, where wounds and sores are dressed and medicines sold. This was well attended from the outset and has been a useful factor in overcoming the native woman's prejudices, as up to this time there had been only men attendants available. The pharmacy has also contributed to the maintenance of the hospital. I am happy to say that this establishing a woman's hospital has entirely justified the hopes of its founder. It has accomplished more than was anticipated. Since her return to the United States Mrs. Dyer has succeeded in inducing Mrs. Russell Sage to endow this hospital with a handsome sum, which, with other funds collected by Mrs. Dyer, is administered by the Sage Foundation.

THE SCHOOLS.

Previous to 1904 it had not been feasible to inaugurate any system of schools. It did not seem possible to continue in that course, and an effort was begun at once to get them on a permanent basis.

To supply a corps of teachers every woman in the American colony not having absorbing duties at home, was drafted into service, including my two daughters and a young lady guest. With alacrity and admirable devotion they responded and helped largely to make the effort successful. Several soldiers from the Marine detachment and a number of native men and women who had already acquired a fairly good knowledge of English made up the necessary complement. From a pedogogical standpoint but few of the teachers were well equipped. The double negative was very prominent in their instruction, but they made up in intelligence, earnestness, and industry for lapses of grammar, which were, after all, immaterial. What was needed by the natives was the power to express themselves in and to understand English, enabling them to form a bond of comprehension between themselves and the Americans. It has always seemed to me that most of the trouble in the world began with the building of the Tower of Babel.

The governor then issued a decree making attendance at school compulsory for all boys between the ages of 7 and 13 and all girls between the ages of 7 and 12. A small fine was imposed on parents or guardians for the absence of pupils without reasonable excuse. The use of the cable brought us quickly a supply of necessary textbooks The active interest of the children and their relatives, with that of the teachers, helped in the starting of what seemed at first a rather impracticable undertaking.

My naval associates have often smiled at my selection of a Navy boatswain for superintendent of public instruction, but for that place there could have been no better, and I have never ceased to be grateful that the services of Chief Boatswain Brooks happened to be available at that particular juncture. In a very short time the schools were running efficiently in all parts of the island, and the 2,000 children of school age were attending with a regularity that could scarcely be secured elsewhere. Personal cleanliness and order were insisted on from the beginning, lavatories for each sex were built near each schoolhouse, in which during school hours were stationed a man and a woman. Every child on entering the schoolhouse was inspected by a teacher and, if not clean in person, was sent to the lavatory and thoroughly scrubbed. If the clothes were soiled or rent the children were sent home for attention. Immediately after roll call and inspection each day the children needing medical advice were sent to the hospital and the truant officer started after the absentees. Within a short time those responsible for the delinquents were before the justice of the peace and subjected to a fine if their excuses were insufficient. This was most effective. Few absences occurred after the people learned what to expect, and the scholars came to school scrupulously neat. Best of all the native community appreciated and supported the measures taken for the children's welfare.

From this beginning developed the normal school, to which were sent the advanced and intelligent compulsory scholars and the volunteers beyond the school age. This school has since fulfilled to some extent its purpose of supplying native English-speaking teachers.

An agricultural class of 29 boys was started under an experienced instructor—a very intelligent and highly educated German who drifted into Guam most opportunely, and who has since assisted materially in the development of the island. In the absence of a regularly equipped manual-training school, which we had no money to establish, lads were placed as apprentices in the hospital, the printing office, the blacksmith's, the plumber's, and the carpenter's shops, the machine shop and the ice plant. Night schools for the older people were well attended.

Perhaps the most satisfactory progress of all was in the branch of music. Singing was taught in the public schools and a party of boys, numbering 28 at first and afterwards increased, was selected as a class in instrumental music, one of the most competent musicians in the naval station band being detailed as instructor. The formation of this band constituted an epoch in the history of Guam. The religious ceremonies which are the principal factors for happiness as well as excitement in the lives of this isolated folk are now completed by music furnished by their own people. Previously they had none for these occasions. Those of them who had visited the Philippine Islands and noted the prominence of bands during the religious *fiestas* lamented the absence in Guam of this significant feature. It may be said, without exaggeration, that the establishment of the Chamorro Band has been to the natives one of the most gratifying results of the American occupation. The conception of this band had a greater significance than appears on the surface. The natives have astonishingly few amusements. General instruction of the population in instrumental music will add a wholesome and profound pleasure to their lives. The apprentice bandsmen were destined to go among their fellows in the outlying towns all through the island and promote the cause of instrumental music.

AGRICULTURAL EXPERIMENT STATION.

With limited resources and a keen sense of its importance we started an experimental farm to give the natives a practical example in the use of labor-saving tools and modern methods of cultivation and to stimulate them to increase the variety of their food products. Satisfactory and profitable relations were established with the various bureaus of the United States Department of Agriculture, with the department of agriculture in the Philippine Islands, and with the various agencies, public and private, devoted to this purpose in all parts of the world. The influence of this station began to be felt at once. It was an attractive growth to foster. Feeling, however, that as the great resources of the Department of Agriculture of the United States had been freely extended to other dependent peoples in the establishment of experimental stations, we could hope for a similar attention to Guam, steps were taken to induce the Secretary of that great department to include Guam station in his estimates. After many vicissitudes this was done in 1908, and finally the island station was amalgamated with a well equipped and efficient Federal station. In a recent number of the Guam News Letter, published monthly, it was interesting to note the advertisement for sale by a local trader of fresh vegetable seeds of all kinds.

I believe it is just to say that the interests of the people of Guam, as well as those of the United States, have always been well served by the American governors, and that the march of improvement has been uninterrupted. Much, however, still remains to be done, and an intelligent interest on the part of the public at home will aid materially the efforts of the men on the spot, who suffer under the handicap of distance and indifference to their needs.

[Fifth session, Friday morning, Oct. 21, 1910.]

The CHAIRMAN. Our subject for discussion this morning is Porto Rico, and it gives me great pleasure to present as the first speaker, Hon. HERBERT PARSONS, Member of Congress from New York.

THE OLMSTED BILL AND ITS PROVISIONS.

(Address of Hon. HERBERT PARSONS.)

The Committee on Insular Affairs, of which for several years I have been a member, reported to, and pressed to passage through, the House of Representatives, the Olmsted bill reforming the act providing a civil government for Porto Rico, in order to put into the fundamental law of Porto Rico the following new provisions:

1. A provision making the citizens of Porto Rico collectively citizens of the United States.

2. A provision by which hereafter voters in addition to those heretofore registered must either be able to read and write or own taxable real estate personally or as a member of a firm.

3. A senate of 13 members, to be chosen quadrennially, of which 5 shall be elected at the first election, 6 at the second, 7 at the third, and an additional one at each succeeding election, the balance to be appointed by the President, and this senate to take the place of the executive council, which now consists of 6 Americans and 5 Porto Ricans.

4. A house of delegates to consist of 1 member from each of 35 districts instead of 5 members from each of 7 districts.

5. A centralized health department, with a commissioner at the head, appointed by the President.

6. Minimum appropriations of $130,000 for each of the next five years, out of insular revenues, and 15 per cent out of municipal incomes, for sanitary work.

7. A civil-service director, to be appointed by the President, and a prohibition of the passage of any law which would prevent the free transfer of persons in the classified service between Porto Rico and the United States in the case of a position requiring expert scientific knowledge, or any citizen of the United States or of Porto Rico from taking civil-service examinations for such position and securing appointment without preference as to residence.

8. The establishment of a public-service commission which would have charge of the granting of franchises and should consist of the attorney general, the treasurer, the auditor, the commissioner of the interior, and two Porto Ricans to be elected by the people; this commission to have the power over franchises hitherto exercised by the executive council and also its power in regard to municipal loans and funds and advancements of insular funds to municipalities and school boards.

9. A provision excluding any corporation from the business of buying and selling real estate or holding or owning real estate not reasonably necessary to enable it to carry out its purposes and effectively prohibiting a corporation engaged in agriculture from owning or leasing more than 3,000 acres—a provision which takes the place of the present ineffective limitation of 500 acres.

10. A provision enabling the Porto Rican legislature to create a department of agriculture, commerce, and labor, if it shall see fit to do so.

11. A change somewhat limiting the jurisdiction of the United States district court for Porto Rico and providing that the salaries of the judge and officials and the court expenses shall be paid by the United States.

12. A provision that the municipal judges of Porto Rico shall hereafter be appointed by the governor instead of elected.

13. The governor is given absolute power of veto of any law passed by the Porto Rican Legislature. No franchise is legal until approved by the President after passage by the senate of Porto Rico, and Congress still reserves the right to annul any franchise or any law.

The bill passed the House of Representatives, but has not yet been acted upon by the Senate.

Why did the Committee on Insular Affairs recommend these changes in the fundamental law of Porto Rico?

1. As to citizenship, Porto Ricans were in an anomalous position. Some claimed that under the Foraker Act they were citizens of the United States, others that they were not. If the latter were so, then they were citizens of Porto Rico, but men and women without a country. There was just as much reason why they should be American citizens as there was why the Mexicans of New Mexico should be. There was more reason why they should be citizens of the United States after having been for 12 years under its laws and commercially and economically a part of it than why the immigrant from abroad, here for a less time, should be admitted to citizenship. And even though citizenship be a matter of sentiment—and it is more than that—glad should we be to bind them to us by the strong tie of such a sentiment.

2. With the granting of greater popular rights in the way of electing their representatives it seemed wise to restrict the suffrage, so great is the percentage of illiteracy among Porto Ricans. When we took possession the illiteracy was 77.3 per cent and the school attendance only 8 per cent. Despite as great an increase in school supply as resources will permit, the school attendance is now only about 30 per cent, and it will be many years yet before Porto Rico will have reached the condition of a substantially educated people with a correcting public opinion, the prerequisite in my mind to complete control of its own affairs. To this limitation of the suffrage there was little objection. Those who now have the right to vote will continue to have it, but in the future new voters must either be able to read and write or own property.

There is a considerable farming class that is illiterate, and I have been told that such people of the hills vote far more independently than do many of those in the cities who are able to read and write. These farmers will still form part of the voting population, and so will their successors; but the future laborers in the sugar centrales, said to

be easily subject to political corralling by their employers, will not in the future become voters unless they can read and write.

3. Heretofore the upper body of the legislature was the executive council, the majority of which was constituted of appointive executive officials. So far as we have been able to ascertain, that scheme worked greatly to the welfare of Porto Rico. The Porto Ricans were opposed to it for sentimental reasons, claiming that the union of the executive with the legislative was un-American.

I think that a mistake was made in separating the two, and I believe that the growth of the commission idea of city government, in which the executive officials compose also the city legislature, indicates the well working of such a union of functions as does the great influence of the executive over the legislative indicate the inevitable identification in the minds of the people of the chief executive official mainly by his legislative program. The senate is made gradually wholly elective, so that by the year 1924 a majority of the Senate shall be elective. This change was a compromise with the wishes of the Porto Rican politicians, who demanded a wholly elective senate immediately.

4. The principal change in regard to the house of delegates was to provide that each member should be elected from a district instead of five from each of seven districts. The house is now wholly composed of members of the Unionist party. The other party, the Republican party, has considerable strength in some localities, and it is believed that this change will give a better opportunity for minority representation. Now 15 of the 35 members live in the city of San Juan. They are Unionists, though that city is Republican. In the future each representative will have to be a resident of his district, a requisite with which I myself do not sympathize. The same requirement was inserted in regard to senators.

5. The principal feature of the bill is the provision for a centralized health department. The provisions are drastic, but they were considered essential in order to make Porto Rico the extremely healthful place that it should be and to insure the continuance of the splendid work introduced by Dr. Bailey K. Ashforth, of the United States Army, in the suppression of anemia, more popularly known as the hookworm disease. The death rate in Porto Rico was 40.86 per thousand in 1901. In 1909 it was a trifle below 21, but in Cuba we have reduced it to 14. We intend to put it as low as that in Porto Rico; we can not do it under the present system, where there is a constant conflict, according to Gov. Post, between insular and local authorities. In his last report Gov. Post said:

"Large districts of the island are absolutely without medical attention, and men, women, and children suffer and die in utter neglect. There are several towns where there is no resident doctor, and the town is too poor to pay a salary which might induce one to come. Should a serious epidemic break out in the island the result would be decimation. Every attempt to get the legislature to take serious action in this matter has failed, usually owing to jealousy existing between the local and central authorities."

One year the lower house of the legislature failed to make any appropriation for the work to suppress anemia, although its suppression is so vital to the island that Mr. W. J. Bryan appeared before our committee and urged congressional appropriation for the eradication of the disease. For three months the work stopped, and the appropriation then made at a special session was not up to the average of the preceding year and the control was taken from the governor, although the work had been initiated under gubernatorial auspices and urgency, and was placed where, in the course of time, it might be used for political jobbery.

6. It was accordingly essential not only to centralize the work and put the physicians and employees throughout the island on a civil-service basis, as the Olmsted bill does, but also to make mandatory minimum appropriations both out of the insular revenues and the municipal revenues.

7. Antipathy to the merit system and to the use of outsiders, no matter how expert, was showing itself in Porto Rico, as it has shown itself elsewhere, and for that reason it was necessary that Congress should legislate so that Porto Rico can secure the most expert service and so that the director of the service should be dependent upon the President, whose only desire would be efficiency, rather than upon local influences, where the pressure for jobs might be strong.

8. No more up-to-date work has been done in Porto Rico than the system of granting franchises, which has been managed by the executive council. The power of granting franchises has proved so corrupting to popularly elected bodies that it seemed wise to give to Porto Rico such a public-service commission as we have here. There it was possible to constitute it largely of executive officials familiar with the details the consideration of which would be necessary. Porto Rican representation on the commission was most desirable, and therefore the plan was copied that prevails in some of our States of making those members elective.

9. A large farm-owning population is a fine element in any Commonwealth. Great as may be the economic advantages of large corporate ownership of land, still greater are the advantages in the way of a sound citizenship of a large farm-owning population. How much the development of the tobacco and sugar industries in Porto Rico has changed the former condition of affairs we do not know and will not know until the present census is completed and published, but the present law, which nominally limited corporation ownership to 500 acres, but imposed no penalty and so was ineffective, has probably permitted the passing of a considerable acreage into corporation control. That we wish to stop for the future, so that Porto Rico can continue to have a considerable farm-owning population. According to her census in 1899, there were 39,021 farms of an average size of 45 acres, the percentage of owners was 93 per cent, and the percentage of the cultivated area owned by the occupants was 91 per cent, as against 43.5 per cent in Cuba.

10. It may be possible to greatly increase the fertility of Porto Rico, and to that end a department of agriculture might contribute. We accordingly make it possible for the Porto Rico Legislature to establish a department of agriculture and labor, but we do not make such a department mandatory, owing to the expense that it would entail.

11. The committee was addressed by very able Porto Rican lawyers, who much desired a limitation of the jurisdiction of the United States district court. On the other hand, some American lawyers and corporations not only protested against any limitation of the jurisdiction, but even desired an increase of it. The change that was made consisted in an increase in the amount necessary to furnish jurisdiction from $1,000 to $2,000 and in treating citizens of the United States domiciled in Porto Rico as citizens of Porto Rico for jurisdictional purposes and not as citizens of the United States with a domicile in the United States.

In addition the controversy that existed over the payment of salaries of and expenses incurred by the Federal court officials was eliminated by providing that they shall be paid by the United States, as is usually the case.

12. Porto Rico has had an excellent judiciary in her higher courts. The judges of the higher courts have been appointed, but the municipal judges have been elected. There has been considerable complaint of favoritism by municipal judges and a number of them were removed by the governor, some of them later being reelected despite the removal. Jury trials are almost unknown and the power of the judges is therefore greater even than here. We thought it better to make the lower judges appointive as well as the higher judges, and so the change provided that the governor shall appoint them.

13. An absolute veto by the governor over any legislation passed by the legislature met with favor and no opposition from Porto Rican representatives, and the bill contains it. There is some fear, however, that to curry popular favor the legislature may pass improper legislation, leaving it to the governor to veto it. Such a result would be only embarrassing to the governor and tend to make still more acute any feeling that exists against Americans.

Some of these changes were favored by the Porto Ricans, some were not. They were all dictated, however, by a desire to give Porto Rico an efficient government, which, at the same time, should be as popular as possible. Efficiency has been regarded as the first essential. Mr. Dickinson, the Secretary of War, visited Porto Rico, and many of the changes were made upon his recommendation. The committee held lengthy hearings, at which were present Mr. Muñoz Rivera, the leader of the Unionist Party in Porto Rico, the party that controls unanimously the house of delegates, and other representatives of that body, as well as representatives of the other party. The bill was debated in the house of representatives for several calendar Wednesdays, and then passed.

Porto Rico has been greatly blessed since American occupation. Its imports have increased from $9,366,230 in 1901 to $26,544,326 in 1909, and its exports from about $8,000,000 in 1901 to about $30,000,000 in 1909. It enjoys a singular position in regard to taxation. Many of the taxes which with us go to the expenses of the Federal Government, in Porto Rico are allowed to go to increase the insular revenues and to be used for things which with us are city and State purposes.

But not by dollars and cents should we measure the worth of our work in Porto Rico. Indeed, the true measure can not come until Porto Rico shall have an efficient government, republican in form and popular in reality, and take her place in the sisterhood of States. For that distant day we are preparing her, so that when her people come into full control they will appreciate that the power of the ballot is the power to secure the best of sanitation, the most just of courts and judges, and disinterested, intelligent, and courageous representatives. We can instill into them that future demand for the two things first mentioned by giving such to them now, trusting to the laws of imitation to give them the proper desire for them when they come into their full liberties. Another duty we now have to perform and are seeking to perform, is to protect a people, so largely illiterate, from spoliation and other evils that ignorance and lack of foresight might visit upon them. When the time approaches for granting complete self-government, I would rather see a popular government, even if somewhat less efficient, than the most efficient government without training in self-control and self-dependence. Among colonial powers, if we are to be called such, we have led the way in training for self-government the people who are dependent upon us. Peculiar interest, therefore, must we have in Porto Rico, for she is likely to be our first finished product.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I yield two minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, during my term of service in Congress I want to testify to the high character and ability of the men who have been commissioners of this District, and I think it is generally conceded that at no time have we had three more able men than the gentlemen who are occupying those positions in the District at this time. The suggestion has been made here by some that there is no use of increasing the salary, because you can always find somebody who will take the place at whatever the salary is. I remember hearing that statement made more than 25 years ago in the State of Michigan with reference to the pay of the circuit judges and of our governor. At that time and until recently we were paying our governor only $1,000. Then we were paying our circuit judges the small salary of $1,500 a year. To-day every circuit judge in the State of Michigan is paid all the way from $3,500 to $6,000, and as a result we get men of ability.

A further question has been raised that this matter ought to have come before the District Committee—I submit that it had—but I think in a few remarks I made a little while ago I gave sufficient reasons to the House why this, as well as other matters, had not been brought before the District Committee during this Congress, and that was simply and solely because it had become evident that the House did not feel inclined to give the District Committee time in which to transact its business. I want to say further that, so far as I am concerned as a member of that committee, had this legislation been brought before us I for one would have supported it.

Mr. GARDNER of Michigan. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. MICHAEL E. DRISCOLL].

Mr. MICHAEL E. DRISCOLL. Mr. Speaker, at 12 o'clock noon next Saturday this Congress will go out of existence, and its record for good or bad will go into history. I for one regret to see during these closing days the raid that is being made on the Treasury of the United States. We act as though we think this is going to be our last chance for some time to legislate, and we seem determined to raise the high salaries of the Nation's officials. If we were raising the salaries all along the line—the low salaries as well as the high—of the men and women lower down in the service and who are drawing small

salaries and who are working as faithfully and efficiently in their limited service, as we are disposed to raise the high salaries, I would not feel so much inclined to oppose this amendment. I do not know that it is the intention of any man here, but it looks as though the officials whose salaries are to be raised and the Members of Congress who are inclined to raise those salaries, are bent on getting them raised now before we get out of power, on the theory apparently that they will not be raised by the gentlemen on the other side of this Chamber when they come into power. I don't know but that is a compliment to the other side of this House, and I for one do not believe it is good politics for us to do it. To my mind there is no good reason, either as a business proposition or on political grounds, that we should raise the salaries of these commissioners.

Only a few months ago there were two vacancies on this commission, and there were a dozen or more candidates, so far as I know all able, competent, and honorable men, who wanted to get these positions. Two of those men were appointed and the others were disappointed. Those two men are hardly warm in their seats before it is proposed to raise their salaries. It is so all along the line, not only in the Federal service but in the State and municipal lines of the service. People pull every wire and invoke every possible influence to get positions. They actually crawl on their bellies for the jobs, and as soon as they get them it immediately occurs to them that the salaries are not big enough and they want more.

Mr. TAYLOR of Ohio. Mr. Speaker, I just want to ask the gentleman if he considers the gentlemen referred to were applicants, or, that they wanted the jobs, because I want to inform him that they were not.

Mr. MICHAEL E. DRISCOLL. I do not know about that, but I have no doubt they felt highly honored in getting those positions; and if they were not applicants for those positions, and if they did not want them, and if now they do not want their salaries raised, as I am imformed is the case, I do not see any good reason why the Congress should at this time undertake to raise them. These commissioners are high-class men and are doing very excellent work in the government of this city, and they are entitled to all honor and respect on the part of the people of this city and of the country, and they are further entitled to our highest consideration because they are not demanding an increase of salary.

They have proper appreciation of this dignified and honorable position. They could probably make much more in their private business, but they are willing to spend freely of their time and energy for the public good and for the great honor which is due them, and I am one of those who are willing to take off our hats to them. These men are not disposed to reduce these dignified, honorable, responsible, and powerful positions to the dollar standard. They are willing to accept the salary as it is and take the balance of their compensation out in honor, dignity, and social influence which go with these positions; and this is a high and wholesome ambition. Five thousand dollars is not a small or niggardly salary for these gentlemen, and will support them in a fair degree of comfort and abundance, even if they have no private fortune or income other than their salaries. It would not support them in luxury or in extravagance or in a high social way, but I submit that in this as well as in other positions in the Federal service, and in the public service generally, men should not expect or try to exact salaries so large that they may live in luxury and extravagance on them. The same rule should apply to these men which applies to judges, Senators, Representatives, and other high-grade servants of the Government.

On the question of the amount of salary and its supporting capacity these commissioners should not be compared with mayors throughout the country. The office of mayor of a city the size of Washington—and smaller as well as larger—is sought after by distinguished citizens not simply for the salary, but for the honor and dignity which go with the places. But a man who is elected mayor in any city is, of necessity, required to spend a larger or smaller amount in his campaign; and if successful, he is required to spend money all the year around in contributing toward all sorts of charities and public and private enterprises in the city. Then there are people calling on him all the time for contributions which he can not well escape. This is not strictly true in Washington, because the commissioners are not elected and are not responsible to the rank and file of the people, and are not under obligations to them, and therefore are not called upon to respond in small contributions to their political supporters when in need. In this as in other dignified and honorable positions in the public service of the country the salary is reasonable, and the position is and should be sought for the honor, dignity, and the good that can be done in it; and for this reason I trust that the motion to increase these salaries will not prevail. [Applause.]

Mr. GARDNER of Michigan. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. FORNES].

Mr. FORNES. Mr. Speaker and gentlemen, in the first place I desire to express my appreciation for the compliment accorded me during the discussion of the subject, a few days ago, of establishing an asphalt plant. My colleague was kind enough to express the opinion that owing to my experience in municipal affairs I might be able to say something valuable upon that point. From that point of view my remarks regarding an increase of salary may be of some weight, in order to get a comparison of the salaries paid in the administration of the city of New York. My esteemed colleague from New York, to whom I have frequently listened with the greatest admiration and profit, in his statement is somewhat in error considering the cost of the administration of the city of New York. However different that may be, it can not have a direct bearing as to the increase of these salaries. There is a good theory to observe that when the office seeks the man the office generally gets the right man, but when the man seeks the office, then it is a question of debate as to the merits of the man. Whenever that is the question it seems to me that at a salary of $5,000 the office is seeking the man, and, owing to the conditions and the administration of the affairs of this beautiful city, I believe that the man sought for is fully qualified as to the fulfillment of that work. A mistake has been made in the assertion that the administrative responsibilities of the executives of the city of New York are not as great as are those of these commissioners. It should be made known that whoever has charge of the administration of a borough of New York has the appointment of a public highway commissioner, who is paid $6,000 a year, but who is not held as responsible for the excution of the work of the office as is the commissioner in the city of Washington. We should bear in mind this one proposition—that he who has the final decision in the matter is he who is held responsible for the execution of the work pertaining to the office, whether you have deputies or whether you have assistants or a commissioner, or like the senior member of the firm, who is held responsible for the success of the enterprise and the execution of the work.

When we consider that these three commissioners are responsible for the annual expenditure of $12,000,000, and at an official salary of $5,000—is that a fair recompense for the responsibility assumed? Would not a commercial house which is transacting a yearly business of $12,000,000 deem a salary of $5,000 a year insufficient for the responsibility assumed and the results accomplished? Is it not a fact, then, that where you are imposing a duty upon an executive in regard to work, that the recompense should be at least in comparison with the responsibilities? Here it is stated that the salary of a commissioner for the last 30 years has been $5,000 a year. What has been accomplished by these commissioners? What is being accomplished every day? The beauty of this city is the only argument necessary to answer the question. The great things that have been accomplished——

Mr. GOULDEN. And these commissioners are not only alone responsible to the people of the District, but they are responsible, through the Representatives in Congress, to the whole country.

Mr. FORNES. Yes; and it is for that reason we ought to recognize that responsibility and pay for it fairly.

Mr. MOORE of Pennsylvania. If the gentleman will permit me, I desire to say that he comes from a great city, and I come from another great city. Does not the gentleman think the city of Washington is one of the best governed cities in this country?

Mr. FORNES. Yes, sir; and I will say this, that the city of Washington is virtually the great national city, a central attraction of the entire world, and I do not care where they come from, and we ought to show our sense of appreciation by encouraging these commissioners and giving them at least a fair recompense for the time that they have devoted to keep this city in the condition it is, and who have built it up to its present degree of beauty and measure of perfection.

The SPEAKER. The time of the gentleman has expired.

Mr. GARDNER of Michigan. I yield two minutes to the gentleman from New York [Mr. OLCOTT].

Mr. OLCOTT. Mr. Speaker, I can not see how there can be any question that it would be a proper thing to raise these salaries. I think the great mistake is that a suggestion has been made to raise them to $6,000 a year. I think they ought to have $7,500. The suggestion that my colleague from New

York [Mr. MICHAEL E. DRISCOLL] made, that they had been crawling to get their salaries increased, is ridiculous. The board of trade has asked to have these salaries increased. They are entirely inadequate at $5,000. The civilian commissioners are both men of means, and that is the only reason why they can hold this position. The gentleman from New York [Mr. MICHAEL E. DRISCOLL] made the suggestion as to there always being plenty of people to fill positions, and that we are raising the high-salaried men and not the low-salaried men. I believe in raising the low salaries, but I never yet have heard that there were any governmental positions where there were not more applicants than there were offices to fill.

Mr. GOULDEN. The gentleman, I understand, is a leading member of the Committee on the District of Columbia, and therefore, is familiar with this subject?

Mr. OLCOTT. I am a member of the Committee on the District of Columbia, and have been for the last six years, and I know these commissioners are hard-worked men, and that they work faithfully and honestly.

Mr. BENNET of New York. There is a bill before the District Committee to increase the salaries. Why does not the committee report that bill out?

Mr. OLCOTT. Whoever introduced the bill certainly did not press it, or it would have been considered by that committee. Besides that, the Committee on the District has some twenty-eight general bills on the calendar, and we have failed to get an opportunity to have them considered.

Mr. MOORE of Pennsylvania. Does the gentleman recall the commissioners having appeared before that committee to press such a bill?

Mr. OLCOTT. The District Commissioners have never appeared before the District of Columbia Committee and have never asked any increase of salary or the passage of that bill.

Mr. GARDNER of Michigan. Mr. Speaker, in concluding this discussion, I want to say that it has been represented over and over again on the floor of the House to-day that the two civilian commissioners were applicants for office. I desire to disclaim that representation. They were sought for and did not seek the place. As to the engineer commissioner, the third member, he is assigned here by the President of the United States just as any other Regular Army officer is detailed and assigned to special duty elsewhere than in the line. Again, gentlemen, it is asserted that we have raised the salaries of the high-class men and not those of the low. Anyone who will go through this bill will see that a large percentage of all the agreements are upon the raising of men who were getting from $600 a year to $1,000 a year. Above that amount is the exception. We have endeavored to raise the low men to where they could possibly live on the salary which the Government pays them—a large number from $600 to $720, which is the next lift. And we believe we are entirely within bounds when we ask that the commissioners shall receive $6,000 a year, and yet we only ask what they can live decently on in the city in the place which they have been called to fill.

Mr. JOHNSON of South Carolina. Will the gentleman let me ask him a question for information?

Mr. GARDNER of Michigan. Yes.

Mr. JOHNSON of South Carolina. Is not one of the civilian commissioners a retired officer of the Army?

Mr. GARDNER of Michigan. Without pay. He resigned from the Army. He gets no pay whatever, although ranking as a brigadier general in the Army.

The gentleman from Illinois [Mr. MADDEN] has shown that work is divided. He himself stands at the head of a great institution. He never would have been there for a year or a month if he had not the ability to select his subordinates. That is true of our public school system. We pay our superintendent more than any other man in the system because we assume he has the ability to select good subordinates. That is what puts the general at the head of the army. We pay our generals large salaries because they have or ought to have the genius to select men under them that can perform the business of war. That is true in all great enterprises, corporate and otherwise. Mr. Speaker, I hope this motion will prevail. I ask for a vote.

The SPEAKER. The question is on the motion to recede from the disagreement and agree to the Senate amendments numbered 1, 2, and 3.

The House divided; and there were—ayes 80, noes 76.

Mr. COX of Indiana. I demand the yeas and nays, Mr. Speaker.

Mr. CARY. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 115, nays 147, answered "present" 8, not voting 114, as follows:

YEAS—115.

Alexander, N. Y.	Elvins	Kelliher	Plumley
Austin	Fassett	Kennedy, Ohio	Pray
Barchfeld	Flood, Va.	Küstermann	Reeder
Bartholdt	Focht	Lamb	Rodenberg
Bingham	Fordney	Lawrence	Scott
Boutell	Fornes	Livingston	Sheffield
Bradley	Foss	Longworth	Simmons
Brantley	Foster, Vt.	Loud	Slemp
Burke, S. Dak.	Gardner, Mich.	Loudenslager	Smith, Iowa
Burleigh	Gardner, N. J.	Lowden	Smith, Mich.
Burleson	Gillespie	McKinley, Ill.	Sperry
Butler	Gillett	McKinney	Stafford
Calder	Goulden	McLaughlin, Mich.	Stanley
Calderhead	Graff	Malby	Sterling
Campbell	Graham, Pa.	Mann	Stevens, Minn.
Carlin	Grant	Massey	Sulloway
Cassidy	Greene	Miller, Kans.	Swasey
Cocks, N. Y.	Hamer	Moon, Pa.	Tawney
Cooper, Pa.	Haugen	Moore, Pa.	Taylor, Ohio
Crumpacker	Hawley	Morgan, Mo.	Tilson
Diekema	Hay	Needham	Townsend
Dodds	Hayes	Nye	Volstead
Douglas	Heald	Olcott	Vreeland
Draper	Henry, Conn.	Olmsted	Wanger
Dupre	Howell, N. J.	Palmer, H. W.	Washburn
Durey	Hull, Iowa	Parker	Weeks
Dwight	Johnson, Ohio	Parsons	Wiley
Edwards, Ky.	Joyce	Payne	Young, N. Y.
Ellis	Keifer	Pearre	

NAYS—147.

Adair	Dixon, Ind.	Johnson, Ky.	Peters
Adamson	Driscoll, D. A.	Johnson, S. C.	Poindexter
Aiken	Driscoll, M. E.	Jones	Pou
Alexander, Mo.	Edwards, Ga.	Kendall	Rainey
Anderson	Ellerbe	Kennedy, Iowa	Randell, Tex.
Ansberry	Esch	Kinkaid, Nebr.	Ransdell, La.
Anthony	Fish	Kinkead, N. J.	Rauch
Barnard	Fitzgerald	Kitchin	Richardson
Barnhart	Floyd, Ark.	Kopp	Roberts
Bartlett, Ga.	Foster, Ill.	Korbly	Roddenbery
Beall, Tex.	Fuller	Kronmiller	Rucker, Mo.
Bell, Ga.	Garner, Tex.	Latta	Saunders
Bennet, N. Y.	Garrett	Lenroot	Shackleford
Boehne	Godwin	Lindbergh	Sharp
Booher	Gordon	McCreary	Sheppard
Borland	Graham, Ill.	Macon	Sherley
Burgess	Hamlin	Madden	Sherwood
Byrns	Hammond	Madison	Sims
Carter	Hanna	Maguire, Nebr.	Sisson
Cary	Hardy	Martin, Colo.	Smith, Tex.
Chapman	Harrison	Martin, S. Dak.	Spight
Clark, Mo.	Heflin	Mays	Steenerson
Clayton	Helm	Miller, Minn.	Sulzer
Cline	Henry, Tex.	Mitchell	Talbott
Collier	Higgins	Moon, Tenn.	Taylor, Colo.
Conry	Hinshaw	Morrison	Thistlewood
Cooper, Wis.	Hollingsworth	Morse	Thomas, Ky.
Covington	Howard	Moss	Thomas, N. C.
Cowles	Howland	Murphy	Tou Velle
Cox, Ind.	Hubbard, Iowa	Nelson	Turnbull
Cox, Ohio	Hubbard, W. Va.	Nicholls	Watkins
Cullop	Hughes, Ga.	Norris	Wickliffe
Davis	Hughes, N. J.	O'Connell	Wilson, Ill.
Dent	Hull, Tenn.	Oldfield	Wilson, Pa.
Denver	Humphrey, Wash.	Padgett	Woods, Iowa
Dickinson	James	Page	Young, Mich.
Dies	Jamieson	Palmer, A. M.	

ANSWERED "PRESENT"—8.

Andrus	Ferris	Glass	McLachlan, Cal.
Cantrill	Finley	Hill	Rothermel

NOT VOTING—114.

Ames	Foelker	Langham	Prince
Ashbrook	Fowler	Langley	Pujo
Barclay	Gaines	Law	Reid
Bartlett, Nev.	Gallagher	Lee	Rhinock
Bates	Gardner, Mass.	Legare	Riordan
Bennett, Ky.	Garner, Pa.	Lever	Robinson
Bowers	Gill, Md.	Lindsay	Rucker, Colo.
Broussard	Gill, Mo.	Lively	Sabath
Burke, Pa.	Goebel	Lloyd	Slayden
Burnett	Goldfogle	Lundin	Small
Byrd	Good	McCall	Smith, Cal.
Candler	Gregg	McCredie	Snapp
Capron	Griest	McDermott	Southwick
Clark, Fla.	Guernsey	McGuire, Okla.	Sparkman
Cole	Hamill	McHenry	Stephens, Tex.
Coudrey	Hamilton	McKinlay, Cal.	Sturgiss
Craig	Hardwick	McMorran	Taylor, Ala.
Cravens	Havens	Maynard	Thomas, Ohio.
Creager	Hitchcock	Millington	Underwood
Crow	Hobson	Mondell	Wallace
Currier	Houston	Moore, Tex.	Webb
Dalzell	Howell, Utah	Morehead	Weisse
Davidson	Huff	Morgan, Okla.	Wheeler
Dawson	Hughes, W. Va.	Moxley	Willett
Denby	Humphreys, Miss.	Mudd	Wood, N. J.
Dickson, Miss.	Kahn	Murdock	Woodyard
Englebright	Knapp	Patterson	
Estopinal	Knowland	Pickett	
Fairchild	Lafean	Pratt	

So the motion was lost.

The following additional pairs were announced:

For the session:

Mr. CURRIER with Mr. FINLEY.

Mr. MCMORRAN with Mr. PUJO.

Until further notice:
Mr. PICKETT with Mr. ROBINSON.
Mr. KNAPP with Mr. STEPHENS of Texas.
Mr. DALZELL with Mr. HOUSTON.
Mr. COLE with Mr. GILL of Maryland.
Mr. BURKE of Pennsylvania with Mr. BARTLETT of Nevada.
Mr. CREAGER with Mr. BROUSSARD.
Mr. DAVIDSON with Mr. BURNETT.
Mr. DAWSON with Mr. CANDLER.
Mr. ENGLEBRIGHT with Mr. CANTRILL.
Mr. FAIRCHILD with Mr. CRAIG.
Mr. GARDNER of Massachusetts with Mr. ESTOPINAL.
Mr. GRIEST with Mr. GREGG.
Mr. GUERNSEY with Mr. HAMILL.
Mr. HAMILTON with Mr. HARDWICK.
Mr. HOWELL of Utah with Mr. HITCHCOCK.
Mr. KNOWLAND with Mr. HOBSON.
Mr. LANGHAM with Mr. HUMPHREYS of Mississippi.
Mr. LUNDIN with Mr. LIVELY.
Mr. MCCALL with Mr. LEE.
Mr. MCCREDIE with Mr. LEGARE.
Mr. MONDELL with Mr. LLOYD.
Mr. MCGUIRE of Oklahoma with Mr. LEVER.
Mr. MOXLEY with Mr. MOORE of Texas.
Mr. PRINCE with Mr. RUCKER of Colorado.
Mr. SOUTHWICK with Mr. SPARKMAN.
Mr. SNAPP with Mr. CLARK of Florida.
Mr. WHEELER with Mr. UNDERWOOD.
Mr. STURGISS with Mr. TAYLOR of Alabama.
Mr. THOMAS of Ohio with Mr. WEBB.
On this vote:
Mr. GAINES with Mr. SLAYDEN.
The result of the vote was announced as above recorded.

Mr. GARDNER of Michigan. Mr. Speaker, I understand that there is no further point of disagreement, and now that this is settled, I move that the House further insist on its disagreement to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Michigan moves that the House further insist on its disagreement to amendments 1, 2, and 3 and ask for a conference.

The motion was agreed to.

ARMY APPROPRIATION BILL.

Mr. HULL of Iowa. Mr. Speaker, I present a conference report on the bill making appropriations for the Army.

The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 31237) making appropriations for the support of the Army.

Mr. HULL of Iowa. Mr. Speaker, there are just three amendments, and all rewritten. I ask that the conference report be read in lieu of the statement, so that it will show exactly what they are.

The Clerk read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 31237) making appropriation for the support of the Army for the fiscal year ending June 30, 1912, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Strike out all of the matter appearing in said amendment and insert in lieu thereof the following: "Hereafter the pay and allowances of Army paymasters' clerks shall be the same as provided by law for Navy paymasters' clerks on shore duty, and they shall also be entitled to the same right of retirement with the same retired pay as is now allowed Navy paymasters' clerks: *Provided*, That Army paymasters' clerks shall be subject to the Rules and Articles of War"; and the Senate agree to the same.

Amendment numbered 23: That the Senate agree to its amendment numbered 23 as amended by the House, with amendments as follows:

On page 1 of said amendment as amended, in line 7, strike out the words "State, Territory, and the District of Columbia"; and in line 8 strike out the words "not to exceed one additional officer for each," and strike out the comma which appears at the end of line 8.

On page 2 of said amendment as amended, in line 18, strike out the words "one-fifth" and insert in lieu thereof "one-half," so that the amendment will read: "Upon the request of the governors of the several States and Territories concerned, the President may detach officers of the active list of the Army from their proper commands for duty as inspectors and instructors of the Organized Militia, as follows, namely: Not to exceed one officer for each regiment and separate battalion of infantry, or its equivalent of other troops: *Provided*, That line officers detached for duty with the Organized Militia under the provisions hereof, together with those detached from their proper commands, under the provisions of law, for other duty the usual period of which exceeds one year, shall be subject to the provisions of section twenty-seven of the act approved February second, nineteen hundred and one, with reference to details to the staff corps, but the total number of detached officers hereby made subject to these provisions shall not exceed two hundred: *And provided further*, That the number of such officers detached from each of the several branches of the line of the Army shall be in proportion to the authorized commissioned strength of that branch; they shall be of the grades first lieutenant to colonel, inclusive, and the number detached from each grade shall be in proportion to the number in that grade now provided by law for the whole Army. The vacancies hereby caused or created in the grade of second lieutenant shall be filled in accordance with existing law, one-half in each fiscal year until the total number of vacancies shall have been filled: *Provided*, That hereafter vacancies in the grade of second lieutenant occurring in any fiscal year shall be filled by appointment in the following order, namely: First, of cadets graduated from the United States Military Academy during that fiscal year; second, of enlisted men whose fitness for promotion shall have been determined by competitive examination; third, of candidates from civil life between the ages of twenty-one and twenty-seven years. The President is authorized to make rules and regulations to carry these provisions into effect: *Provided*, That the Quartermaster's Department is hereby increased by two colonels, three lieutenant colonels, seven majors, and eighteen captains, the vacancies thus created to be filled by promotion and detail in accordance with section 26 of the act approved February 2, 1901"; and the House agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: Strike out all of the matter appearing in said amendment and insert in lieu thereof the following: "Hereafter there shall be attached to the Medical Department a dental corps, which shall be composed of dental surgeons and acting dental surgeons, the total number of which shall not exceed the proportion of one to each thousand of actual enlisted strength of the Army; the number of dental surgeons shall not exceed 60, and the number of acting dental surgeons shall be such as may, from time to time, be authorized by law. All original appointments to the dental corps shall be as acting dental surgeons, who shall have the same official status, pay, and allowances as the contract dental surgeons now authorized by law. Acting dental surgeons who have served three years in a manner satisfactory to the Secretary of War shall be eligible for appointment as dental surgeons, and, after passing in a satisfactory manner an examination which may be prescribed by the Secretary of War, may be commissioned with the rank of first lieutenant in the dental corps to fill the vacancies existing therein. Officers of the dental corps shall have rank in such corps according to date of their commissions therein and shall rank next below officers of the Medical Reserve Corps. Their right to command shall be limited to the dental corps. The pay and allowances of dental surgeons shall be those of first lieutenants, including the right to retirement on account of age or disability, as in the case of other officers: *Provided*, That the time served by dental surgeons as acting dental or contract dental surgeons shall be reckoned in computing the increased service pay of such as are commissioned under this act. The appointees as acting dental surgeons must be citizens of the United States between 21 and 27 years of age, graduates of a standard dental college, of good moral character and good professional education, and they shall be required to pass the usual physical examination required for appointment in the Medical Corps, and a professional examination which shall include tests of skill in practical dentistry and of proficiency in the usual subjects of a standard dental college course: *Provided*, That the contract dental surgeons attached to the Medical Department at the time of the passage of this act may be eligible for appointment as first lieutenants, dental corps, without limitation as to age: *And provided further*, That the professional examination for such appointment may be waived in the case of contract dental surgeons in the service at the time of the passage of this act whose efficiency reports and entrance examinations are satisfactory. The Secretary of War is authorized to appoint boards

of three examiners to conduct the examinations herein prescribed, one of whom shall be a surgeon in the Army and two of whom shall be selected by the Secretary of War from the commissioned dental surgeons"; and the Senate agree to the same.

J. A. T. HULL,
GEO. W. PRINCE,
WM. SULZER,
Managers on the part of the House.

F. E. WARREN,
M. G. BULKELEY,
JAS. P. TALIAFERRO,
Managers on the part of the Senate.

STATEMENT.

Amendment No. 18, in disagreement between the Houses, refers to the status of paymasters' clerks, and the House recedes from its disagreement and agrees to the same with an amendment placing the Army paymasters' clerks on exactly the same footing as the Navy paymasters' clerks.

Amendment No. 23, in disagreement, refers to increase of officers for the Army for detail with the militia, and other purposes, and the House recedes from its disagreement and agrees to the same by striking out all details for each State, Territory, and the District of Columbia, division, brigade, and permits the detail for the organizing of the militia only, and provides for filling the vacancies one-half each fiscal year, and agrees to the amendment made by the House in regard to the Quartermaster's Department.

Amendment No. 49 relates to the Dental Corps, and the House recedes from its disagreement and authorizes the grade of first lieutenant only for the Dental Corps.

J. A. T. HULL,
GEO. W. PRINCE,
W. SULZER,
Managers on the part of the House.

Mr. HULL of Iowa. Mr. Speaker, I assume that the House understands the report, as it has been pretty fully debated heretofore. The first amendment that is in dispute relates to the Pay Corps, the paymaster's clerks.

Mr. COX of Indiana. What amendment is that?

Mr. MANN. The paymaster's clerks is No. 18.

Mr. HULL of Iowa. The proposal that has been agreed upon varies from that which was provided for in the original bill by the Senate in this, that the paymaster's clerks enter the service at $1,125 a year. Under the present law they enter at $1,400 a year. This provision will increase their pay each 3 years until after 12 years of service they will reach $2,000, which is practically the same as was provided in the Army bill in the original Senate amendment. The Pay Department suggested the insertion of an additional proviso providing that no paymaster's clerk should have his pay reduced as a result of this legislation; but the committee believe if we were going to put the two services on an exact equality the clerks should suffer the loss while they are young and get the benefit as they get older and after years of satisfactory service. So we declined to make any restriction of that kind and put it flatly on the same service as the Navy. I think every member of the committee will acknowledge that a paymaster's clerk of the Army, compelled to travel in the Tropics or Alaska or wherever it is necessary in the discharge of his duty, is entitled to as much pay as the same class of the service in the Navy. This should be a final settlement of the question.

Mr. O'CONNELL. Will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. O'CONNELL. As I understand, you did that to equalize the Navy. In the report of the Naval Committee have they not recommended to have the dentists get three ranks?

Mr. HULL of Iowa. I have not yet reached that, but I will say here that is not the law.

Mr. MANN. Will the gentleman yield for a question?

Mr. HULL of Iowa. Certainly.

Mr. MANN. Paymaster's clerks, as I understand, in the Army under this get the same pay as in the Navy?

Mr. HULL of Iowa. They will, if this is adopted.

Mr. MANN. Under this provision, I mean. How about when serving abroad?

Mr. HULL of Iowa. The same exactly. They do not get any increase in pay on account of that. They get no increased pay for that.

Mr. MANN. Do they get the shore pay of the Navy?

Mr. HULL of Iowa. Shore pay.

Mr. MANN. Even if serving abroad?

Mr. HULL of Iowa. Yes; even if serving abroad. The next amendment refers to increase of officers for detail to the National Guard and for other purposes. The House voted on that and fixed the number as 230—200 flat increase and 30 increase in the Quartermaster's Department. We have come to an agreement on that number of officers, leaving it as fixed by the House, but we further amended the provision by striking out the words as to the governors of each State and Territory and the District of Columbia, so that no officers shall be detailed to serve on the governor's staff or with any governor of a Territory or with the District with anything except the organization of the militia itself. In other words, the details now go direct to the regiments or battalions or the equivalent of the battalion.

Mr. MANN. Will the gentleman yield?

Mr. HULL of Iowa. Certainly.

Mr. MANN. The original Senate amendment provided for filling vacancies in the grade of second lieutenant, one-fifth in each year.

Mr. HULL of Iowa. I was coming to that in a moment. We changed that to one-half, as the number is reduced from 612 to 230.

Mr. MANN. I was going to ask whether that was done because of the reduction in the number of officers.

Mr. HULL of Iowa. That is the reason. We changed that to one-half, because in place of 612 we have 230, and to extend the 200 over five years would be unreasonable and deprive the militia of the object which we have in granting this number of officers.

Mr. STEVENS of Minnesota. Will not this result in all of the 200 being drawn from civil life and not from West Point or the enlisted men?

Mr. HULL of Iowa. No; the proportion of each year will be less than before. In other words, it takes two years now to fill up the 200, while before it took five years to fill up 612, less the 30 provided for the Quartermaster's Department.

Mr. STEVENS of Minnesota. My point is West Point graduates now with the quota of enlisted men who receive commissions just about fill vacancies in the mobile branch of the Army, and yet if we add 100 each year the chances are that these will have to be filled from men in civil life.

Mr. HULL of Iowa. My impression is that this is better for filling from West Point than the original provision that we practically adopted in the House, which would apply to the 612. Now, as to the exact number required to fill the vacancies of the Regular Army during the next year, I do not know; I did not inquire into that. It will undoubtedly open up a chance for some second lieutenants from civil life, but I will say to my friend that there are a good many young men in civil life who are graduates of military schools, graduates of the military department of State universities, who are certified to the War Department as eligible to commissions in the Army, and they will undoubtedly have an opportunity for some of them to come in.

Now, it may extend the possibility of promotion of the enlisted men of the Army who have enlisted for the express purpose of getting a commission, and to my mind that man is one of the most valuable officers we are getting in the Army. He does not get the military training of West Point, to be sure, but he shows his love for the profession by his willingness to endure the hardships of a private soldier and keep up his studies until he passes the examination for the place.

Mr. STEVENS of Minnesota. I would like to ask the gentleman if he does not think such an officer will be a better officer for the National Guard——

Mr. HAY. I desire to say to the gentleman from Iowa I wish to have some time.

Mr. HULL of Iowa. I will yield to the gentleman in a few minutes. Now, the next amendment is one over which there was a serious disagreement for a good while, which refers to the dental corps of the Army. There has been for years an effort made by the friends of the dental corps to give them commissions—rank in the Army. Up to this time they are simply contract dental surgeons. The Senate passed an amendment providing for a dental corps hereafter consisting of so many majors, so many captains, and so many first lieutenants. I do not believe that the corps should have this high rank. They are not assigned to troops; they are assigned to posts. They have their opportunity to discharge the work of their profession in connection with those posts and yet, in view of the standing of the corps and all things considered, we believe they should have some rank. In this amendment we give them the grade of first lieutenant. That starts them in with pay at $2,000 a year. They are now getting $1,800 a year. It gives them for 20 years' service 40 per cent increase in the pay,

making $2,800 a year, and the committee, on the part of the House at least, was unanimously of the opinion that that was a good deal of recognition for their services.

Mr. SLAYDEN. What allowances?

Mr. HULL of Iowa. They have the allowances of a first lieutenant—three rooms and fuel and lights.

Mr. SLAYDEN. And commutation?

Mr. HULL of Iowa. They do not have commutation except where quarters are not furnished.

Mr. SLAYDEN. They have light and fuel?

Mr. HULL of Iowa. Yes; but they do not get commutation for that. They do get commutation of quarters when quarters are not furnished.

Mr. SLAYDEN. But they do get all of these advantages.

Mr. HULL of Iowa. Now, Mr. Speaker, I realize the Committee on Naval Affairs has already reported a bill and which is now pending on the calendar, giving the dental surgeons of the Navy the rank that is asked for in the Senate amendment to this bill; that is, to make them majors, captains, and lieutenants, but I sincerely hope that if the House adopts this conference report and settles this controversy, which has been extending for the last 10 years practically, that it will stop it all and not allow this branch of the service to go to the higher rank.

Mr. SLAYDEN. But the gentleman realizes there will be a demand just the same and continual pressure.

Mr. HULL of Iowa. Absolutely; but my judgment is if this is settled here now it will end the controversy for the next 20 years.

Mr. O'CONNELL. Will the gentleman tell me why it is he uses as an argument that the paymaster's clerk gets rank in the Navy and he denies it to this branch of the service?

Mr. HULL of Iowa. I will say to the gentleman that the Congress of the United States has not yet given the rank asked for by the Committee on Naval Affairs. It is not the law. If it were the law, while I would regard it as going way beyond what the Congress should do, yet I would say at once that, in justice to the two branches of the service, they ought to be kept on an equality with each other.

Mr. O'CONNELL. Now, after a service of 20 years, what rank——

Mr. HULL of Iowa. They will be first lieutenants yet. They would be getting pay of $2,800, and they would retire at a salary of $2,100 a year.

Mr. O'CONNELL. I understood from the gentleman from New Jersey that it provided a retired rank of major.

Mr. HULL of Iowa. It does not. That is the Senate amendment.

Mr. O'CONNELL. I understand this is a bill introduced, practically, by the gentleman from New Jersey.

Mr. HULL of Iowa. It has no provision of that kind in it, at all, and has never had, as introduced by the gentleman from New Jersey.

I now yield 15 minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Speaker, I do not care to occupy the time of the House on this report, because I believe it is the best that we can do, and it should be agreed to by the House. But the Secretary of War has seen fit to address a letter to the chairman of the Committee on Military Affairs calling in question certain statements made by me when the conference report on the Army appropriation bill was under consideration; and the gentleman from Iowa, chairman of the committee, has published the letter in the CONGRESSIONAL RECORD. The Secretary of War addressed this communication to the gentleman from Iowa, in which he undertakes to refute an argument which I made on the floor of the House, and, among other things, he says:

> I have the honor to say that the statement as printed was apparently misleading, as indicated by the debate which followed, and I submit the following memorandum which, in my opinion, more fully presents the facts.

Now, Mr. Speaker, I pass by the questionable taste displayed by the Secretary in calling in question statements made by a Member of this House in debate, and if I had been guilty of misleading the House, as he charges, I would certainly not question his right to correct me, which he could have done by addressing his letter to me and not to a third person.

Now, let us see who is misleading the House, the Secretary of War or myself.

At a hearing of the Chief of Staff of the Army before the Committee on Military Affairs, House of Representatives, on a bill (H. R. 29496) to increase the efficiency of the Organized Militia, and for other purposes, the following colloquy took place:

> Mr. STEVENS. You have at the present time, as I recall it, in round numbers, about 400 officers detailed at schools as instructors, or in one way or another connected with schools. Is that number too large, all around?
>
> Gen. WOOD. Two hundred and ninety-three is the total we have. I do not think this number too large.

With a view to obtaining more definite information relative to the details of these officers, I requested the Adjutant General, on February 15, 1911, to furnish information—

> as to the number of officers now absent from their commands on detached service either as instructors or as students at military or civil educational institutions.

In compliance with this request the Adjutant General submitted the following letter and tabular statement:

> WAR DEPARTMENT,
> THE ADJUTANT GENERAL'S OFFICE,
> *Washington, February 15, 1911.*
>
> Hon. JAMES HAY,
> *House of Representatives.*
>
> DEAR SIR: In response to your personal request of to-day for information as to the number of officers now absent from their commands on detached service, either as instructors or as students at military or civil educational institutions, I have the honor to transmit herewith a tabular statement, compiled as of January 30, 1911, which gives the information that you desire.
>
> Very respectfully,
> F. C. AINSWORTH,
> *The Adjutant General.*

Officers of the Army who were absent from their commands on detached service, either as instructors or as students at schools, on January 30, 1911.

Where located.	Instructors.	Students.	Total.
Army War College	14	22	36
United States Military Academy	[1] 81	([2])	81
Army Service Schools, Fort Leavenworth, Kans.	22	67	89
Artillery School, Fort Monroe, Va.	14	40	54
Mounted Service School, Fort Riley, Kans.	9	24	33
Engineer School, Washington Barracks, D. C.	5	23	28
School of Musketry, Presidio of Monterey, Cal.	3	-------	3
At schools in Europe	-------	2	2
Student in Cornell University	-------	1	1
Total	148	179	327
Instructors at civil educational institutions	64	-------	64
Aggregate	212	179	391

[1] Does not include 6 other officers on detached duty there nor the 7 professors.

[2] 416 cadets were there Jan. 30, 1911.

From the foregoing official statement it will be seen that instead of there being 293 officers "detailed at schools as instructors, or in one way or another connected with schools," as stated by the Chief of Staff in his hearing before the Committee on Military Affairs, House of Representatives, there were actually 391 officers so detailed on January 30, 1911, not including 13 officers on duty at the Military Academy.

It will also be seen that the call made upon the Adjutant General and the response made by him to that call related exclusively to officers on detached service either as instructors or students at schools and had no relation to any students at those schools other than detailed officers. And the remarks made by me in the House of Representatives on February 16, in connection with this subject during consideration of the Army appropriation bill, referred exclusively to officers on detached service either as instructors or students at schools and had no relation to any students at those schools other than detailed officers.

The letter of the Secretary of War of February 18, as printed in the CONGRESSIONAL RECORD of February 23, 1911, is misleading in that it confuses the issue, and apparently endeavors to discredit the official statement made by the Adjutant General and the remarks made by me in connection therewith by bringing in a lot of figures concerning enlisted men on duty or under instruction at various schools, including the School for Cooks and Bakers and the School for Horseshoers and Farriers. These figures are valueless as a basis upon which to attempt to discredit the statement made by me or the official report upon which that statement was based, because both the statement and the report referred exclusively to detailed officers. And if these figures with regard to enlisted men are as far from correct as are the figures that were given by the Chief of Staff at his hearing before the House Military Committee with regard to detailed officers, they are misleading as well as irrelevant. The production of these figures suggests the making of a somewhat searching inquiry with regard to the many Army schools, the number of which appears to be constantly increasing, and I hope that in the not-distant future there will be an opportunity to make such an inquiry with a reasonable prospect of corrective action being taken as a result of it if such action is found to be necessary. [Applause.]

As I said before, I regret that the Secretary of War has seen fit to question a statement made by me in debate on this floor.

I can excuse it, because doubtless the Secretary derived his inspiration and his information from those who are advocating this legislation and who, in their eagerness to persuade Members to vote for it, have neglected their duties in the War Department and have spent their time in buttonholing Members [applause], and have finally induced the Secretary of War to write a letter which does not convince and shows a lack of familiarity with the subject, which, to say the least of it, is deplorable. [Applause.]

Mr. HULL of Iowa. If no other Member desires time, I call for a vote.

Mr. SLAYDEN. Mr. Speaker, I would like two or three minutes.

Mr. HULL of Iowa. I yield three minutes to the gentleman from Texas.

Mr. SLAYDEN. Mr. Speaker, I unfortunately was not in when the chairman made his statement about this conference report, but I understand the paymasters' clerks have been given a sort of status——

Mr. HULL of Iowa. They are given the same status now as paymasters' clerks of the Navy.

Mr. SLAYDEN. That is neither fish, flesh, nor fowl, nor good red herring.

Mr. MANN. They are retired. That is all they want.

Mr. SLAYDEN. That is it, exactly. They were after retirement. I want to say, Mr. Speaker, while I can not hope to see it, I believe the report of the conferees ought to be voted down. Something was said here by gentlemen, and it seemed to pass in a general way unchallenged, about the extraordinary skill required by these clerks.

Now, as a matter of fact, there is no extraordinary skill required for the discharge of the work that is lodged upon the paymasters' clerks. It is the simplest and most primitive form of calculation. All they need is to have men who are capable of making the simplest calculations in figures, and disbursing that money honestly. It was suggested that we would suffer the misfortune of losing the services of these gentlemen after a few years because they would get better places. Well, sir, if we could by law fix it so that after they had had the advantage of this position for a little while, a temporary bridge to lead them to something better, the very best service we could render them would be to so change the law that they would get out of this service and go into commercial walks, where the rewards are certainly better than the privilege of being retired with the rank of a first lieutenant and ultimate pay, as the chairman suggests, of about $2,800 a year.

Mr. HULL of Iowa. Not for paymasters' clerks.

Mr. SLAYDEN. They get first lieutenant's pay, do they not?

Mr. HULL of Iowa. Two thousand dollars is the limit. They start in at $1,125 a year.

Mr. SLAYDEN. It makes the argument all the stronger, then. I am not impeaching the character or the capacity of the clerks at all. But I only say in the interests of the people that this legislation is not needed, and in the interests of good administration it is not required; and while it is always an exceedingly difficult thing and, in a way, an unpleasant thing to oppose these conference reports, I believe the best we could do would be to vote down this feature of the report and continue operating the office of the paymasters' clerks on the basis it has heretofore been operated on.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. SLAYDEN. Yes.

Mr. STAFFORD. I know that the gentleman has given military matters a great deal of consideration. Will he kindly enlighten the committee with his views as to the dental surgeons? Is that legislation necessary?

Mr. SLAYDEN. I will state to the gentleman from Wisconsin that I spoke very fully on that subject the other day in an endeavor to make myself perfectly plain. I am not in favor of it.

Mr. STAFFORD. I presume the gentleman's opposition to this measure is along the lines of his position as expressed the other day?

Mr. SLAYDEN. No. It is a compromise.

Mr. STAFFORD. Will the chairman of the committee yield for a question?

Mr. HULL of Iowa. Certainly.

Mr. STAFFORD. Did I understand the chairman in his preliminary statement to say that the Navy has placed dental surgeons on the retired list?

Mr. HULL of Iowa. No; I say they have reported a bill which is on the calendar for that purpose.

Mr. STAFFORD. I presume that so far as placing dental surgeons in the Army on the retired list is concerned, the Navy will follow the gentleman's recommendation with respect to the Army?

Mr. HULL of Iowa. Yes; it is probable.

Mr. STAFFORD. What has the gentleman to say as to placing them on the active list with a retirement feature?

Mr. HULL of Iowa. I assume that unless you make their service a limited one they ought to have retired pay. When they get old they sacrifice the emoluments of a professional career to the service of the Army. My judgment is that the compromise we made with the Senate makes the dental corps of the Army sufficiently attractive for the brightest and best young dentists from the fact that they will know that when they are 64 years of age they will be taken care of, whereas if they are first-class dentists in a good large town they might be more successful for the time being, but they would be obliged to accumulate more of a competency while in active practice.

Mr. STAFFORD. Does the provision provide for a greater number?

Mr. HULL of Iowa. No; it only provides that additions can be made to the contract corps as the law may hereafter provide.

Mr. STAFFORD. Does the law provide for an increase of their salaries?

Mr. HULL of Iowa. Not at all.

Mr. STAFFORD. It just gives them the retirement feature?

Mr. HULL of Iowa. No; it gives them an increase of pay after 10 years' service.

Mr. DALZELL. Do they get an increased rate at any time?

Mr. HULL of Iowa. Not until after 10 years of service.

Mr. DALZELL. They then go on the retired list?

Mr. HULL of Iowa. They will go on the retired list at 64 years of age if this passes.

Mr. DALZELL. Is there a limitation there as to those who are already in the service?

Mr. HULL of Iowa. Yes.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Texas will state it.

Mr. SLAYDEN. Mr. Speaker, is it possible to have a division of this report, so as to have a separate vote on that feature of it which provides for the retirement of the paymasters' clerks?

The SPEAKER. The report must stand or fall as a whole, as the Chair understands it.

Mr. SLAYDEN. I beg the Speaker's pardon. I did not catch his reply.

Mr. GARNER of Texas. He says it must stand or fall as a whole.

Mr. HULL of Iowa. Mr. Speaker, I desire to say one more word on this paymaster business. They now enter the service at $1,400 a year. They will enter this service under this provision at $1,125 a year. The gentleman refers to the fact that it would be a good thing if they went out——

Mr. SLAYDEN. A good thing for them.

Mr. HULL of Iowa. I do not think it would be a good thing for the Government. The Paymaster General reports that in the last few months a great many of them have gone out. I hope this report will be adopted and the bill enacted into law, and that the Congress of the United States will have placed a limitation on the fight that is being made along other lines for increased rank, which, in my judgment, the adoption of this report will have the effect of doing.

Mr. SLAYDEN. I entirely agree with the gentleman, and I hope that this feature of the proposed legislation—this feature which I believe to be utterly wrong—will be defeated. But does the gentleman think that the hope now held out to these people is such as to inspire the ambition of energetic young men with respect to position and pay? I am speaking of the Pay Corps.

Mr. HULL of Iowa. I think so. The compensation is better than that which the average bookkeeper receives now.

Mr. SLAYDEN. It is not better than the average bookkeeper hopes to make.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. SLAYDEN) there were, 122 ayes and 16 noes.

So the conference report was agreed to.

On motion of Mr. HULL of Iowa a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

Mr. CARY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SULZER. Mr. Speaker, in connection with the attempt to increase the postal rates on second-class mail matter, I desire to print in the RECORD the newspaper reports of a large mass meeting recently held in Cooper Union, New York City, to protest against any increase in postage on magazines and

periodicals. These reports speak eloquently against the imposition of raising the tax on education. I send the matter to the Clerk's desk, and ask to have it read in my time as a part of my remarks.

The Clerk read as follows:

To the United States Senators and Congressmen.

GENTLEMEN: We beg to submit for your careful consideration the newspaper accounts of the greatest demonstration ever assembled in historic Cooper Union on Washington's Birthday.

We wish to enter a most earnest protest against the threatened loss of employment to those engaged in the manufacture of magazines and other educational literature in the event of an increase of postage rate now a part of the appropriation bill, making a cost of 4 cents a pound—300 per cent over the present rate—which would mean the nonemployment of many thousands of those now employed in the city of New York and throughout the United States.

Respectfully submitted.

JOINT CONFERENCE COMMITTEE OF THE MECHANICAL CRAFTS IN THE PRINTING TRADES.

[New York American, Thursday, Feb. 23, 1911.]

BIG MASS MEETING DENOUNCES HITCHCOCK RAID ON MAGAZINES—APPEAL IS MADE TO CONGRESS—MEN AND WOMEN WHO FILL COOPER UNION CHEER AS RESOLUTIONS ARE PASSED CALLING ON ALL REPRESENTATIVES TO STOP THE PROPOSED INCREASE IN POSTAGE RATES—PARCELS-POST LAW WOULD SOLVE ENTIRE PROBLEM, WRITES SULZER—JUDGE SNITKIN POINTS OUT DANGEROUS "JOKER" IN BILL MAKING POSTMASTER GENERAL A CENSOR AND ENABLING HIM TO KILL OFF PERIODICALS OR LET THEM CONTINUE PUBLICATION AT HIS PLEASURE.

Cooper Union was filled yesterday by men and women employed in the magazine industry, chiefly in the mechanical departments, to protest to Congress against the proposal to make up the postal deficit by quadrupling the rate of postage on popular magazines.

They gave up the best part of their holiday to this because, it was declared, the increase would drive half of the magazine printing force out of employment.

"Two-thirds of the printing in the United States is done in this vicinity," declared Bernard Nolan, who presided. "This is a joint convention of the mechanical crafts in the printing trade, and the 6,000 members of our league have met here because the purpose of the league is to further the general welfare of the printing trade, observing fairness alike to employer and employed."

He read this telegram from Congressman SULZER:

PARCELS POST WOULD SOLVE THE WHOLE PROBLEM.

"The proposed increase of postal rates is an imposition upon the people, absolutely unjustifiable as a matter of fair play, and absolutely unnecessary in view of the fact that if the Congress would pass my bill for a general parcels post there would be an increase of postal revenue of $50,000,000 a year. This amount would wipe out any postal deficit, reduce postage on all classes of mail matter, and justify a material advance in the salaries of our poorly paid letter carriers and postal employees."

"Give us a parcels post and all postal problems are solved."

He read this remarkable indorsement of the protest from Municipal Court Judge Snitkin, who, from his sick bed, sent a letter declaring:

"I wish to state that I consider the Post Office appropriation bill a pernicious measure in view of the fact that it contains a dangerous 'joker' in the shape of unjust and illegal discrimination against periodicals.

"This un-American measure, if enacted into law, virtually means the financial extinction of some publishers and loss of employment to numberless men and women.

"MAKES POSTMASTER GENERAL A CENSOR.

"This pernicious measure constitutes the Postmaster General a censor, and clothes him with dangerous powers to kill or let live many magazines at his pleasure.

"This measure means the muzzling or annihilation of the progressive, outspoken periodical.

"This bill would make splendid legislation in Russia, but it is diabolical legislation in free America."

R. Hoe & Co. sent word that they already had put themselves on record at Washington as being opposed to the increase.

Frank H. Stevens pointed out that if to meet the increase magazines were forced to advance their prices, "down will go the circulation, and out of employment will go half the help."

He gave this concrete example of what would result: There was a high-class weekly which weighed three copies to the pound. The proposed rates would increase the postage three times the present cost, and while the weekly might be making $200,000 a year now, employing thousands of men and women, that profit would be wiped out and a deficit created. This deficit could be met only by wholesale dismissal of employees.

WOULD INVOLVE LABOR TROUBLES, TOO.

J. J. Keppler, international vice president of the International Association of Machinists, made the point that injustice would be done to hundreds of thousands of his fellow machinists "who are employed under agreements between employers and labor organizations."

"Congress should not make a law that would do violence to existing contracts," he said. "If through this measure a reduction of wages shall be involved to pay for the shortcomings of the postal service, conciliation and arbitration will be necessarily sought by our labor commissioner to avoid strife or possible strike."

John P. Mines, ex-president of the Press Feeder's Union, told the assemblage that if the Post Office needs more money it should, instead of taxing a product and injuring labor, reduce the price paid to railroads for carrying the mails.

"That price," he explained, "is now in excess of what is charged to the citizen for similar service."

Amidst ringing cheers resolutions were adopted to be sent to Congress. They represented the alarm felt over the proposed postal increase, because it "would drive many magazines out and lessen the field of labor. We call upon all Members of Congress to oppose this increase."

PRINTERS SIDE WITH MAGAZINES—1,500 DELEGATES OF TRADE UNIONS OPPOSE INCREASED POSTAGE BILL.

The bill before Congress providing for a large increase in the postal rates on magazines was unsparingly condemned yesterday afternoon in Cooper Union in a joint conference of the mechanical crafts in the printing trades. Fifteen hundred representatives of printing trades unions were present.

A resolution was passed unanimously calling on all Representatives and Senators to vote against the measure, which, it was asserted, would practically destroy the magazine industry and deprive hundreds of thousands of men and women in the printing trades of the means of earning livelihoods. The resolution expressed the belief of the workers in the printing industry that the Post Office Department can devise other means of overcoming the postal deficit.

"If the present bill increasing the postal rates on magazines becomes a law it will drive 50 per cent of the magazines out of business," said Bernard Nolan, of Pressman's Union No. 51, who presided. "Besides," he continued, "such a law would place a power in the hands of the Postmaster General that practically would permit him to pass on the existence of many of the magazines."

In a telegram indorsing the object of the meeting, Representative SULZER said the proposed increase in magazine postal rates is unjustifiable. The parcels-post bill which SULZER has introduced, he said, would solve the problem of the postal deficit. The arguments in favor of the increased-rate bill, the Representative wired, "would make a horse laugh and America hide its head in shame." Many other telegrams indorsing the meeting were received, including one from Sophie Irene Loeb, suffragist leader, who indorsed the parcels-post bill.

[New York Times.]

UNIONS OPPOSE POSTAGE BILL—WORKERS IN PRINTING TRADES PASS RESOLUTIONS AGAINST IT.

Four unions were represented yesterday afternoon at a meeting in Cooper Union called by the joint conference of the Mechanical Crafts in the Printing Trades to protest against the bill before Congress increasing the postage on magazines. The joint conference represents Pressmen's Union, No. 51; Webb Pressmen's Union, No. 25; Franklin Association of Press Feeders, No. 23; and the Job Press Feeders' Union. Delegates from district No. 15, of the International Association of Machinists, who work in the manufacture of printing presses, were also present.

Letters and telegrams were received from a number of well-known men. One telegram was from Congressman SULZER, in which he denounced the bill, and said that the proposed increase in postal rates would be an unjustifiable imposition on the people of the United States in view of the fact that if his bill for a general parcels post was passed it would more than meet the deficit in the Post Office Department. He said that the arguments adduced in favor of the bill to increase postage were enough "to make a horse laugh."

A letter was read from Robert Hoe, of Robert Hoe & Co., in which he said that his firm sympathized with the object of the meeting and had gone on record at Washington as being opposed to the bill to increase the postage rates.

Resolutions protesting against the bill were adopted.

[Evening World.]

PRINTERS IN POSTAL FIGHT—MASS MEETING CONDEMNS INCREASE OF MAGAZINE MAIL RATES.

New York printers, in mass meeting at Cooper Union yesterday, warmly condemned the proposed increase of postal rates on magazines.

The following unions were represented: Pressmen's Union No. 51, Web Pressmen's Union No. 25, Franklin Association of Press Feeders No. 23, the Job Press Feeders' Union, and the printing press branch of District No. 15 of the International Association of Machinists.

Bernard Nolan, of Pressmen's Union No. 51, presided. Among the speakers were John P. Mines, of the Franklin Association, and John J. Keppler, vice president of the International Association of Machinists.

[The Evening Sun.]

UNIONS OPPOSE POSTAL BILL—MEETING OF PRESSMEN AND FEEDERS TO PUT THE TRADES ON RECORD.

The bill to increase the postage on magazines was condemned yesterday afternoon at a meeting in Cooper Union, called under the auspices of the joint conference of mechanical crafts in the printing trades representing four organizations. They are Pressmen's Union No. 51, Web Pressmen's Union No. 25, Franklin Association of Press Feeders No. 23, and the Job Press Feeders' Union. The branch of district No. 15 of the International Association of Machinists, whose members work in the manufacture of printing presses, was also represented.

Bernard Nolan, of Pressmen's Union No. 51, presided, and speeches condemnatory of the bill were made by John P. Mines, of the Franklin Association, and John J. Keppler, vice president of the International Association of Machinists. The chairman said that the bill if it became law would not only drive 50 per cent of the magazines out of business, but would place an amount of power in the hands of the Postmaster General which would make him the arbiter of the existence of many magazines.

Telegrams were received from Miss Sophie Irene Loeb, the suffragette leader; Congressman WILLIAM SULZER, and others regretting their inability to attend and condemning the bill. Miss Loeb said that the proper solution of the matter would be the establishment of a parcels post. Congressman SULZER in his telegram declared that the proposed increase in postal rates was an unjustifiable imposition and absolutely unnecessary in view of the fact that if Congress would pass his bill for a general parcels post there would be no postal deficit.

Letters were read from Robert Hoe, of Robert Hoe & Co., and from Municipal Court Justice Leonard A. Snitkin, expressing sympathy with the object of the meeting.

[Tribune, February 23.]

OPPOSE HIGHER POSTAGE—PRINTING-PRESS WORKMEN SIDE WITH THE MAGAZINES.

The proposed measure now before Congress increasing the rate of postage on magazines was opposed at a meeting yesterday afternoon in Cooper Union, called under the auspices of the joint conference of mechanical crafts in the printing trades, which was formed in December, to protest against the bill. The conference represents Pressmen's Union No. 51, Web Pressmen's Union No. 25, Franklin Association of Press Feeders No. 23, and the Job Press Feeders' Union. Representatives of the lodge of District No. 15 of the International Association of Machinists, whose members work at the manufacturing of printing presses, were also at the meeting.

The following resolution, a copy of which will be sent to every member of Congress, was adopted:

"Whereas we view with alarm the proposed increase of postal rates of the country pertaining to the magazines, periodicals, etc., now under discussion before the Senate; and

"Whereas such increase, if put into effect, will, to a certain extent, destroy this industry and thereby will deprive hundreds of thousands of men and women in our industry of employment; and

"Whereas we, the workers in the printing industry, believe that the Post Office Department can devise other means to overcome its deficit: Therefore be it

"*Resolved*, That the measure of increased postal rates is condemned, and that we call upon all Representatives, Senators, and Congressmen on behalf of our industry to vote against such a measure."

PROTEST AGAINST POSTAGE-RATE BILL.

The bill to increase the postage on magazines was condemned yesterday afternoon at a meeting in Cooper Union, called under the auspices of the joint conference of mechanical crafts in the printing trades, representing four organizations. They are Pressmen's Union No. 51, Web Pressmen's Union No. 25, Franklin Association of Press Feeders No. 23, and the Job Press Feeders' Union. The branch of district No. 15, of the International Association of Machinists, whose members work in the manufacture of printing presses, was also represented.

[Evening Journal, Feb. 23, 1911.]

MAGAZINE TAX DENOUNCED AT MASS MEETING.

Resolutions adopted at the Cooper Union mass meeting of men and women employed in the magazine industry, protesting against the proposed increase in postage on magazines, to-day were sent to Congress.

"Two-thirds of the printing in the United States is done in this vicinity," declared Bernard Nolan, who presided at the mass meeting. "This is a joint convention of the mechanical crafts in the printing trade, and the 6,000 members of our league have met here because the purpose of the league is to further the general welfare of the printing trade, observing fairness alike to employer and employed."

He read this telegram from Congressman SULZER:

"The proposed increase of postal rates is an imposition upon the people, absolutely unjustifiable as a matter of fair play, and absolutely unnecessary in view of the fact that if the Congress would pass my bill for a general parcels post there would be an increase of postal revenue of $50,000,000 a year. This amount would wipe out any postal deficit, reduce postage on all classes of mail matter, and justify a material advance in the salaries of our poorly paid letter carriers and postal employees."

RUSSIAN LEGISLATION.

"Give us a parcels post and all posts problems are solved," said Mr. Nolan.

He read this remarkable indorsement of the protest from Municipal Court Judge Snitkin, who from his sick bed sent a letter declaring:

"I wish to state that I consider the Post Office appropriation bill a pernicious measure, in view of the fact that it contains a dangerous 'joker' in the shape of unjust and illegal discrimination against periodicals.

"This un-American measure, if enacted into law, virtually means the financial extinction of some publishers and loss of employment to numberless men and women.

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Frank H. Stevens pointed out that if, to meet the increase, magazines were forced to advance their prices, "down will go the circulation and out of employment will go half the help."

He gave this concrete example of what would result: There was a high-class weekly which weighed three copies to the pound. The proposed rates would increase the postage three times the present cost, and while the weekly might be making $200,000 a year now, employing thousands of men and women, that profit would be wiped out and a deficit created. This deficit could be met only by wholesale dismissal of employees.

WOULD INVOLVE LABOR TROUBLES.

J. J. Keppler, international vice president of the International Association of Machinists, made the point that injustice would be done to hundreds of thousands of his fellow-machinists "who are employed under agreements between employers and labor organizations."

Congress should not make a law that would do violence to existing contracts, he said. "If through this measure a reduction of wages shall be involved to pay for the shortcomings of the postal service, conciliation and arbitration will be necessarily sought by our labor commissioner to avoid strife or possible strike."

John P. Mines, ex-president of the Pressfeeders' Union, told the assemblage that if the post office needs more money, it should, instead of taxing a product and injuring labor, reduce the price paid to railroads for carrying the mails.

"That price," he explained, "is now in excess of what is charged by the citizen for similar service."

Amidst ringing cheers resolutions were adopted. They represented the alarm felt over the proposed postal increase, because it "would drive many magazines out and lessen the field of labor. We call upon all Members of Congress to oppose this increase."

The Cooper Union meeting was held under the auspices of the Joint Conference of Mechanical Crafts in the Printing Trades, which represents Pressmen's Union No. 51, Web Pressmen's Union No. 25, Franklin Association of Press Feeders, No. 23, and the Job Press Feeders' Union. Representatives of District No. 15, of the International Association of Machinists, were also present. The following resolution was unanimouly adopted:

"Whereas we view with alarm the proposed increase of postal rates of the country pertaining to the magazines, periodicals, etc., now under discussion before the Senate; and

"Whereas such increase, if put into effect, will, to a certain extent, destroy this industry, and thereby will deprive hundreds of thousands of men and women in our industry of employment; and

"Whereas we, the workers in the printing industry, believe that the Post Office Department can devise other means to overcome its deficit: Therefore be it

"*Resolved*, That the measure of increased postal rates is condemned, and that we call upon all Representatives, Senators, and Congressmen, on behalf of our industry, to vote against such a measure.

"COMMITTEE OF RESOLUTIONS.

"E. W. Edwards, Fred. Scudder, James Horan, Martin Broderick, William Konfield, Web Pressmen's Union No. 25; John A. Kenney, Fred. Wagner, Thomas Connors, Terry McGough, Frank Dowling, Printing Pressmen's Union No. 51; John P. Mines, James D. Kelley, John J. Clark, John J. Shannon, Herman Hoch, Franklin Union, No. 23; Thomas Henry, Job Press Feeders' Union No. 1; John J. Keppler, George Stilgenbauer, E. J. Deering, George Hoetzel, District No. 15, International Association of Machinists; Bernard Nolan, chairman; John J. Dowling, secretary."

Among the many letters and telegrams received by the committee were the following:

From Dr. William Irving Sirovich, 539 East Sixth Street, New York, magazine reader:

"To Mr. BERNARD NOLAN:

"Regret exceedingly that professional engagements incapacitate me from addressing your mass meeting in Cooper Union. What nutrition is to the body, what heat and energy is to our system, so the reading of healthy magazines is to the mind of the reading public. And to practice economy by increasing the postage on healthy magazines that breed good citizenship and pure motherhood is an indirect step in throttling public opinion and debauching the reading and critical public. To develop the mind and body, to scan the heavens, to study the geological strata and formation of the earth, to create literature, to resurrect the thoughts of dead and forgotten races and languages, to carve the hidden ideas of the brain in marble and statue, to portray the imagination of the brain in painting, to delve into the depths of the hidden and concealed, to inculcate the love of one's country, to expose corruption and extravagance in government, is all the province of literature as exemplified in the writings of good magazines. And as a reader of all the healthy periodicals, I strenuously object to their destruction and annihilation through an increased tax on their postage duties. As Rudyard Kipling said: 'Remove the advertisements and you destroy half the interest of the magazine.' May the time never come when through the guise of economy the liberty of a free press, through magazines, should be destroyed, while extravagance is flying rampant in every department.

"Very respectfully, yours,

"WILLIAM IRVING SIROVICH, M. D."

Telegram from Congressman SULZER, the consistent advocate of the people's rights:

"BERNARD NOLAN, Esq.,

"*Chairman Mass Meeting, Cooper Union, New York City:*

"I am in sympathy with the purpose of your meeting to protest against the increase of postage on magazines and periodicals. Regret, on account official duties here, I can not be with you to address the meeting. The proposed increase of postal rates is an imposition on the people. Absolutely unjustifiable as a matter of fair play and absolutely unnecessary in view of the fact that if Congress would pass my bill for a general parcels post there would be an increase in postal revenue of $50,000,000 a year, an amount sufficient to wipe out any postal deficit, reduce postage on all classes of mail matter, and justify a material advance in the salaries of our poorly paid letter carriers and postal employees. When all the facts are considered, the pretense of the Post Office Department is enough to make a horse laugh and patriotic America hang its head in sadness and humiliation. Give us a general parcels post and all postal problems are solved in the interest and for the benefit of all the people.

"WILLIAM SULZER."

From Congressman FRANCIS BURTON HARRISON:

"DEAR SIR: I thank you most cordially for your invitation to attend the meeting at Cooper Union to-morrow afternoon, which invitation has just reached me. Unfortunately, it is not possible for me to get away from Washington at this time. During the last 10 days of the session every Representative is on duty down here and, as you know, Washington's birthday is a workday for us just the same as all other days.

"With much regard, I am,

"Yours, very truly, FRANCIS BURTON HARRISON."

From United States Senator ROBERT M. LA FOLLETTE:

"DEAR SIR: I have your letter of yesterday, inviting me to attend the mass meeting to be held at Cooper Union to-morrow protesting against the proposed postal increase for second-class matter.

"I regret that because of legislative duties it will be impossible for me to attend.

"Respectfully, yours, ROBERT M. LA FOLLETTE."

Telegram from Sophie Irene Loeb, magazine writer:

"The proposed increase of postal rate on magazines will eventually destroy one of America's best educational features. If our Government would adopt a parcels-post system for its citizens, the same as it has by treaty with foreign governments, we would have a surplus instead of a deficit. Protest vigorously against any restriction on education or loss of employment of men and women now engaged in the magazine industry.

"SOPHIE IRENE LOEB."

From Senator GORE, the People's Rights Senator, from Oklahoma:

"CHAIRMAN COOPER UNION MEETING.

"DEAR SIR: I have the honor to acknowledge receipt of your favor of recent date inviting me to be present at Cooper Union on February 22. I regret to say that your invitation did not come to my personal attention until this moment, which explains, and I trust will excuse, my delay in answering. It would have afforded me great pleasure to attend the meeting to which you referred.

"With best wishes, I am,

"Yours, very truly, T. P. GORE."

SHERIDAN RAILWAY & LIGHT CO.

The SPEAKER laid before the House the bill (S. 9903) to authorize the Sheridan Railway & Light Co. to construct and operate a railroad, telegraph, telephone, electric power, and trolley line through Fort Mackenzie Military Reservation, and for other purposes, with House amendments disagreed to by the Senate.

Mr. HULL of Iowa. Mr. Speaker, I move that the House insist on its amendments and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. HULL of Iowa, Mr. STEVENS of Minnesota, and Mr. HAY.

FORT D. A. RUSSELL MILITARY RESERVATION.

The SPEAKER also laid before the House the bill (S. 9904) granting certain rights of way on the Fort D. A. Russell Military Reservation at Cheyenne, Wyo., for railroad and county road purposes, with House amendments disagreed to by the Senate.

Mr. HULL of Iowa. Mr. Speaker, I move that the House insist on its amendments and agree to the conference asked for.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. HULL of Iowa, Mr. STEVENS of Minnesota, and Mr. HAY.

CERTIFIED CHECKS FOR DUTIES ON IMPORTS.

The SPEAKER also laid before the House the bill (H. R. 30570) to authorize the receipt of certified checks on national banks for duties on imports and internal taxes, and for other purposes, with Senate amendments.

The Senate amendments were read.

Mr. PAYNE. Mr. Speaker, I move that the House agree to the Senate amendments.

The motion was agreed to.

LOCATION OF OIL AND GAS.

The SPEAKER also laid before the House the bill (H. R. 32344) to protect locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States or their successors in interest, with Senate amendments.

The Senate amendments were read.

Mr. NEEDHAM. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. FITZGERALD. Mr. Speaker, I would like to ask what is the effect of these Senate amendments?

Mr. NEEDHAM. This bill, as it passed the House, excepted land under any withdrawal, and the Senate amendments confine the exception or proviso to mineral withdrawals. As the law is now, on land withdrawn like national forests you can carry on mining, and the bill as it passed the House would stop that. This amendment of the Senate is to correct that, and refers to mineral withdrawals so as to make the bill logical and as it was intended when it passed the House.

Mr. FITZGERALD. It does not affect lands withdrawn for other purposes?

Mr. NEEDHAM. This amendment was agreed to in the Committee on the Public Lands, and I was requested to make this motion on behalf of my colleague Mr. SMITH, of the Committee on the Public Lands, who has gone home quite ill.

The motion was agreed to.

VALLEY PAPER CO. V. DONNELLY, PUBLIC PRINTER.

By unanimous consent, on the request of Mr. COOPER, of Pennsylvania, leave was granted to print in the RECORD the following decision of Mr. Justice Gould, of the supreme court of the District of Columbia, sustaining the demurrer of defendant in the matter of the Valley Paper Co., plaintiff, *v.* Samuel B. Donnelly, Public Printer.

[In the supreme court of the District of Columbia. In equity, No. 29461.]

THE VALLEY PAPER CO. V. PUBLIC PRINTER.

Fred B. Rhodes, attorney for plaintiff.

Clarence R. Wilson, United States attorney for the District of Columbia; Reginal S. Huidekoper, assistant United States attorney for the District of Columbia; and Frank E. Elder, special assistant to the Attorney General, attorneys for defendant.

OPINION OF THE COURT.

The plaintiff's bill recites that it is a corporation under the laws of the State of Massachusetts and "a taxpayer of the United States," and that the defendant is the "United States Public Printer;" that in January, 1910, it submitted a proposal for supplying paper for the fiscal year ending February 28, 1911, to the Joint Committee on Printing at Washington, D. C., which was opened in the presence of six persons—to wit, REED SMOOT, JONATHAN BOURNE, jr., DUNCAN U. FLETCHER, GEORGE C. STURGISS, ALLEN F. COOPER, and DAVID E. FINLEY—and by them rejected, notwithstanding they "acted without authority or warrant of law, and to the injury and prejudice of the rights of complainant."

The bill next avers that the said persons were never appointed or had any authority to perform the duties imposed by law upon the Joint Committee on Printing; that "none" of them "were" ever appointed as members of said joint committee by either "the President of the Senate, the Speaker of the House of Representatives, or by any official in either House having authority to make such appointment."

The bill thereupon recites the provision of the act of Congress of August 26, 1852 (ch. 91, 10 Stat., 34), which provides: "There shall be a Joint Committee on Public Printing consisting of three Members of the Senate, appointed by the President of the Senate, and three Members of the House of Representatives, appointed by the Speaker of the House, who shall have the powers hereinafter stated;" that the duties and powers of said joint committee were enlarged by the act of January 12, 1895 (ch. 23, 28 Stat., 601), but that no change was made as to the manner of the appointment of said committee. It recites section 5 of said act, which requires the sealed proposals to furnish paper to be opened in the presence of the joint committee and the contracts to be awarded "to the lowest and best bidder for the interests of the Government;" but that no proposal shall be considered which is not accompanied by a bond approved by a judge or clerk of a court of record in the penalty of $5,000, etc.; and that the persons named required that bidders should give bond in the sum of $10,000; "complainant further avers that the said body acting as aforesaid awarded contracts for supplying paper for the public printing without in any case requiring the bond to be approved by a judge or clerk of a court of record, and that the bid of complainant was the only bid opened by that body, acting as aforesaid, which was accompanied by a bond approved by a judge or clerk of a court of record."

It is next alleged that under the act of March 2, 1895, it is provided that when no joint committee has been appointed the Committee on Printing either of the Senate or House then in existence shall act. As there was no Joint Committee on Printing in existence, complainant was entitled to have his bid considered by the Committee on Printing of the Senate, consisting of six members, and the Committee on Printing of the House, consisting of three members. Notwithstanding the rights of complainant to have his bid considered as aforesaid, said REED SMOOT, who without authority or appointment assumed to act as chairman of the body which opened and rejected the bid of complainant, refused to permit three members of the Senate Committee on Printing to sit with the body considering said bids, or to have any vote in determining whether or not complainant's bid should or should not be accepted, although requested so to do by one of said Members, to wit, Stephen B. Elkins, United States Senator from West Virginia. Complainant further shows that notwithstanding the fact that defendant has been advised that there has been no compliance with the provisions of the law hereinbefore referred to, providing for the performance of certain acts as a condition precedent to entering into any contract for paper for public printing, said defendant has persisted, to the injury and prejudice of the rights of complainant, in purchasing paper under certain alleged contracts with various firms which have not been approved by the Joint Committee on Printing or by any other persons or body authorized by law.

The special prayer is that the Public Printer "show cause why he should not be permanently restrained and enjoined from issuing any orders for paper for the public printing for year ending February 28, 1911, under contracts entered into as aforesaid."

The Public Printer interposed a demurrer to this bill, alleging some 11 reasons why it was bad in substance, and also a return to the rule issued thereon, in which he states, substantially—

First. That plaintiff's proposal failed to conform to the requirements of law, and when opened by the persons named in the bill, which persons comprised the Joint Committee on Printing, together with other proposals for supply of paper, was rejected, and the contracts were awarded to other firms who were the lowest and best bidders for the interests of the Government.

Second. That "the Committee on Printing of the House of Representatives, consisting of GEORGE C. STURGISS, ALLEN F. COOPER, and DAVID E. FINLEY, were appointed by the Speaker of the House of Representatives to act as such Committee on Printing of the House of Representatives, and as members of the Joint Committee on Printing, and this defendant further says that the Committee on Printing of the Senate consisted of eight members, who were duly appointed in accordance with the rules of the Senate for selecting the personnel of committees, to wit, by the Committee on Committees, designated by the President of the Senate, whose recommendation in this regard was formally approved by the Senate of the United States; that in pursuance to the rules and regulations of the said Senate and by express resolution of said body of February 15, A. D. 1909, the said committee was constituted the Committee on Printing of the Senate, and the said REED SMOOT was appointed its chairman, with power and authority to select two of the members of the committee to act with him as members of the Joint Committee on Printing, and acting as aforesaid the said REED SMOOT did designate and select Senators JONATHAN BOURNE, jr., and DUNCAN U. FLETCHER to act with him as Senate representatives of the said joint committee; and the said REED SMOOT, being the chairman of the said Senate committee, was by force of the rules and regulations of said Congress duly constituted the chairman of the said Joint Committee on Printing, in strict accord with said rules and regulations, and in conformity to law; and this defendant further says that all of said acts were done by said committee in the composition of said committee and in performance of their duties as such Joint Committee on Printing in full accordance with law and within the scope of the authority of the legislative branch of the Government."

There are numerous additional defenses set forth in the return which need not be considered. The return is under oath.

By stipulation, the cause was heard on bill, rule to show cause issued thereon, return to said rule, and demurrer to the bill.

1. The first question naturally suggesting itself upon the face of plaintiff's bill is, By what right does plaintiff corporation claim injunctive protection of equity? It is alleged that plaintiff is a taxpayer of the United States; there is no allegation that its taxes will be increased if the Public Printer is not enjoined; there is not even such an inference in the bill. It is alleged that it was a bidder for the contracts let by the Joint Committee on Printing to certain unnamed and undisclosed competitors; there is no allegation that this action by the joint committee caused the plaintiff loss. There is no allegation that plaintiff corporation will be affected in any property or corporate right, in the slightest degree, by the continued issuance by the Public Printer of orders for paper for public use under the contracts entered into with its competitors. The gravamen of the bill is that certain officials acted without legal authority in awarding certain contracts to others than plaintiff. There is no contention in the bill that these officials ought to have awarded the contracts to plaintiff corporation and by not so doing caused it financial loss; the charge is that the aforesaid officials illegally usurped governmental functions; only this, and nothing more.

And for that reason, that an executive official, the Public Printer, should be enjoined from ordering paper under said contracts. To express the situation in other terms, the bill is an arraignment and criticism of certain Members of Congress who assumed to act as a Joint Committee on Printing when they had no title to such office, and the plaintiff, setting itself up as censor morum, asks equity to interfere with the acts of said committee, although said acts inflict no injury upon plaintiff or its property.

There is no such jurisdiction in equity. It deals only with property rights and with the maintenance of civil rights. The language of Mr. Justice Gray in the matter of Sawyer (124 U. S., 200) is often quoted:

"The office and jurisdiction of a court of equity, unless enlarged by express statute, are limited to the protection of rights of property."

And in the case of Green *v.* Mills (69 Fed., 852; 30 L. R. A., 90) Chief Justice Fuller, sitting in the circuit court of appeals, fourth circuit, used this language:

"It is well settled that a court of chancery is conversant only with matters of property and the maintenance of civil rights. The court has no jurisdiction in matters of a political nature, nor to interfere with the duties of any department of Government, unless under special circumstances and when necessary to the protection of rights of property, nor in matters merely criminal or merely immoral which do not affect any right of property."

In the case of People *v.* Byrd (98 Ga., 688), where an unsuccessful bidder secured an injunction in the lower court against the reporter of the Supreme Court prohibiting him from awarding a contract to one who was not the lowest bidder, the Supreme Court, in reversing the case, said:

"It results as a logical consequence from the foregoing that Byrd had no shadow of right to have the contract awarded to him, and therefore, in his attitude as a disappointed bidder, he had no legal cause of complaint with reference to the action taken in the premises by the governor and the reporter."

On page 693 the court continued:

"The only remaining question is, Did Byrd, in his capacity as citizen and taxpayer, have a right to institute in his own name an equitable proceeding against the reporter and the Franklin Co. for the purpose of testing the legality of the contract which the reporter, with the governor's consent and approval, had made with that company or obtaining an injunction preventing the said contract from being carried into effect? He could not do this, for several reasons. In the first place, the State, being a party to the contract, would be a necessary party to such a cause; and it could not without its express consent be subjected to any kind of action. * * * A contract to which the State is a party can not be annulled without having the State before the court; and, as Byrd could not make the State a party to this proceeding, this would be sufficient to end the matter.

"But, secondly, the injunction granted necessarily operated against the governor of the State, not eo nomine, because he is not a party to the record, but practically because it suspends the operation of the contract which he participated officially in making. In Mayo *v.* Renfroe (66 Ga., 427) this court said: 'The governor could not be made a party. Being head of a coordinate branch of the Government, the courts may not well enjoin him. Equity, as well as law, would seem to forbid it * * *.'

"And, thirdly, even if obstacles above pointed out were not in Byrd's way, he was not, as a mere taxpayer, entitled to maintain his petition, because he utterly failed to show that, as such, he was in any way injured by the letting of the contract to the Franklin Co. It was, in any event, absolutely essential for him to show that, in consequence of the action taken by the governor and the reporter, he, as a private citizen, sustained some injury. It is difficult to conceive how, in this capacity, he could have been injured at all, except by an increase in the amount of his State taxes; and as to this there was no contention, nor even a pretense, that the publication of the Supreme Court reports by the Franklin Co. would cost the State a single cent more than would have been the case if the contract had been awarded to Byrd himself or to some one else. He was not in a position to insist, and did not insist, that the State could, in any event, get the work done at a price less than his own bid."

In the case of World's Columbian Exposition *v.* United States (6 C. C. A., 58) a bill was filed seeking an injunction against the appellees to prevent the opening of the world's fair on Sunday, averring that such opening would be "of great injury and grievous prejudice to the common good and the welfare of the people of the United States." In dismissing the bill Chief Justice Fuller said:

"The office and jurisdiction of a court of equity, unless enlarged by express statute, are limited to the protection of rights of property. The court is conversant only with questions of property and the maintenance of civil rights, and exercises no jurisdiction in matters merely political, legal, criminal, or immoral."

In Cicero Lumber Co. *v.* Cicero (176 Ill., 9), the court said:

"The general rule is that when the duty about to be violated by the corporation or its officers is public in its nature and affects all the inhabitants alike, one not suffering any special injury can not in his own name or by uniting with others maintain a bill for an injunction. A private individual can not maintain a bill to enjoin a breach of public trust without showing that he will be specially injured thereby."

This citation of cases might be greatly extended. (See Roosevelt *v.* Draper, 23 N. Y., 318; Miller *v.* Grandy, 13 Mich., 540; State ex rel. Taylor *v.* Lord, 28 Oreg., 498.) It is sufficient to say, however, that with a few discordant opinions (see McCollough *v.* Brown, 41 S. C., 220; 23 L. R. A., 410) the great weight of judicial authority sustains the proposition that equity will interfere by the extraordinary writ of injunction only when the suitor shows a special and irreparable injury to himself or his property different from that which will be sustained by others similarly situated.

There is another consideration, possibly a corollary to that stated, which bars plaintiff's relief. The law regulating the issuance of injunctions by an equity court is a law of proportions; that is to say, unless the court is satisfied that the relief sought is essential to protect property interests of the plaintiff more important in law than the restrained rights of the defendant, the remedy will not be applied. This principle was exemplified by the Supreme Court in the case of Wilson *v.* Shaw (204 U. S., 24), where a suit was brought by a citizen and taxpayer of Illinois to prevent the construction of the Panama Canal. The court said:

"Clearly there is no merit in the complainant's contention. That, generally speaking, a citizen may be protected against wrongful acts of the Government affecting him or his property may be conceded. That his remedy is by injunction does not follow. A suit for an injunction is an equitable proceeding and the interests of the defendant are to be considered as well as those of the complainant."

So in this case the court should consider the relative injury to the parties if the Public Printer should be enjoined from buying paper under the assailed contracts. As already stated, there is no showing that the plaintiff will suffer any injury, while it is fairly inferable that substantial injury might befall the Government if the Public Printer were enjoined from purchasing his paper supply under the contracts heretofore made. It might even happen that the CONGRESSIONAL RECORD could not be printed.

2. There is another reason why plaintiff's bill can not be sustained. It seeks to destroy rights which certain unnamed persons or corporations have acquired under contracts with certain officials of the Government. These persons or corporations are not made defendants to the litigation. That their rights can not be adjudicated without their presence is clear from the decisions of the Supreme Court. (New Orleans Water Works *v.* New Orleans, 164 U. S., 471; California *v.* So. Pac. Co., 157 U. S., 229.)

The State courts coincide. In Hoppock *v.* Chambers (96 Mich., 509), the court said:

"This is a bill by certain taxpayers of the village of Frankfort to restrain the payment of moneys under a contract entered into in May, 1900, by the council with George L. Davis, trustee, for a water supply to said village. After the execution of said contract a corporation was formed, which succeeded to all the rights of said George L. Davis, under said contract.

"The bill is fatally defective, in that neither said Davis nor said corporation, so succeeding to his rights, is made a party defendant thereto. All the parties in interest, and whose rights may be affected, ought to be made parties. * * * The other parties to the contract in question would not be concluded by any decree herein, and the village, in case of a decree against it, would be subject to still further litigation."

(See also Hope *v.* Mayor, 72 Ga., 246; Hutchinson *v.* Burr, 12 Cal., 103; Hardy *v.* Bank, 46 Kans., 88.)

3. It is also contended by plaintiff that the body designated as the Joint Committee on Printing, which rejected its bid and accepted the bids under which contracts were made, was illegally constituted and exercised its functions without authority of law. This contention may be briefly summarized as claiming that section 12 of the act of August 26, 1852 (10 Stat., 30), is still in force. This section provides:

"SEC. 12. *And be it further enacted*, That a committee, consisting of three Members of the Senate and three Members of the House of Representatives, shall be appointed by the President of the Senate and the Speaker of the House, to be called the Joint Committee on Printing, which committee shall have a right to decide," etc. This provision was embodied in section 3756 of the Revised Statutes of the United States.

In 1895 Congress attempted to codify the laws relating to public printing. The act of January 12, 1895 (28 Stat., 601), was entitled: "An act providing for the public printing and binding and the distribution of public documents."

The first section of this act reads:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be a Joint Committee on Printing, consisting of three Members of the Senate and three Members of the House of Representatives, who shall have the powers hereinafter stated."

This section differs from section 12 of the act of 1852 in that it eliminates the provisions regulating the appointment of the joint committee and leaves that body to be constituted as the rules of the Senate and House may from time to time prescribe.

While it is true that repeals by implication are not favored, it is equally well established, to quote the language of the Supreme Court in District of Columbia *v.* Hutton (143 U. S., 18):

"Where two acts are not in express terms repugnant, yet if the latter act covers the whole subject of the first, and embraces new provisions, plainly showing that it was intended as a substitute for the first act, it will operate as a repeal of that act."

That the act of January 12, 1895, was intended to "cover the whole subject" of the public printing and to be a substitute for all prior legislation upon the subject is manifest from an examination of the records of Congress, including the reports of the several committees which had the matter in charge. While the Supreme Court has held that the debates of Congress are not appropriate sources of information from which to discover the meaning of the language of statutes passed by that body, it has also held that the courts may resort to the reports of committees of either branch of Congress with a view of determining the scope of statutes passed on the strength of such reports. (Burns *v.* U. S., 194 U. S., 486.)

Resorting to this approved source of information, it is first noted that by a concurrent resolution of February 9, 1891, there was appointed a joint committee of the Senate and House with instructions to examine into the general subject of public printing and binding, and to report a bill in the following December. This committee formulated a bill which, with some amendments, passed both Houses during the Fifty-second Congress, but failed of final enactment because of a disagreement of the Senate to certain House amendments. The bill, as drawn by the joint committee, was a codification and reenactment of the numerous provisions of the existing law regulating public printing and binding; it, however, contained many new sections. A full and elaborate report of this joint committee is contained in Senate Report No. 18, Fifty-second Congress, first session. This report also contains a copy of the bill proposed, together with an explanation as to each section of the said bill.

Section 1 of the proposed bill provided that—

"There shall be a Joint Committee on Printing, consisting of three Members of the Senate and three Members of the House of Representatives, and shall have the powers hereinafter stated."

The reasons assigned by the committee for the enactment of this section were as follows:

"This is nearly identical with section 3756 of the Revised Statutes of 1878 (act date of Aug. 26, 1852). The change is an unimportant one, leaving out that the Joint Committee on Printing shall be appointed by the President of the Senate and the Speaker of the House. The word 'public' is omitted, making the committee a Committee on Printing instead of a Committee on Public Printing. This change is made throughout the whole bill."

On September 12, 1893, Mr. Richardson, of Tennessee, from the Committee on Printing, submitted a report to the House accompanying House bill 2650 (53d Cong., 1st sess.), which bill was reported as a substitute bill, designated as the same as that reported by the Committee on Printing of the last House. The same explanation with reference to the change in the first section of the bill is given in this report as in the original report of the joint committee.

On July 24, 1894, Mr. Gorman, from the Committee on Printing, submitted a similar report to the Senate, which was intended to accom-

pany House bill 2650, above referred to. The same language is again used for explaining the reasons of section 1 of the proposed bill. Both the Senate and House committees, in reporting the bill, made specific references to the omission from section 1 of the requirements that the Joint Committee on Printing should be appointed by the President of the Senate and the Speaker of the House. This bill was enacted into law, as heretofore stated, on January 12, 1895. From these reports it is manifest that the act of 1852, which provided for the appointment of the members of the joint committee by the President of the Senate and the Speaker of the House, respectively, was intentionally changed by the language of the first section of the act of January 12, 1895. It is equally manifest from the history of this legislation that the intention of Congress was to codify, collect, and systematize the provisions of existing law upon the subject of public printing. The conclusion is irresistible that section 1 of the act of January 12, 1895, repealed so much of the existing law as regulated the manner in which the Joint Committee on Public Printing should be constituted. This conclusion is fully justified by the decision of the Supreme Court in District of Columbia *v.* Hutton, supra, and also by the decision of the same court in Murdock *v.* Memphis (20 Wall., 590), and United States *v.* Tynen (11 Wall., 88).

The result is that, under existing law, the appointment of the Joint Committee on Printing is left to the discretion of the Senate and House, as may be provided by their rules. The courts have no more power to pass upon the manner or method selected by the Senate or House for the appointment of such committee, or the regularity of the proceedings leading up to such appointment, than they would have to pass upon the regularity of the election of a Member of either House. Moreover, it appears from the return in this case, which in the present state of the record must be taken as true, that the House members of the joint committee were duly appointed by the Speaker to act as such, and that the Committee on Printing of the Senate consisted of eight members, who were duly appointed in accordance with the rules of the Senate; that in pursuance of said rules and by express resolution of the Senate, Senator SMOOT was appointed chairman of said committee, with power and authority to select two of the members of the committee to act with him as members of the Joint Committee on Printing, and that he did so select Senators BOURNE and FLETCHER. So that, even if the court had jurisdiction to inquire into the regularity of the appointment of the members of this joint committee, it could not reach any other conclusion than that the committee was constituted in accordance with the rules of the two bodies.

For the reason heretofore given, the demurrer to the bill will be sustained, with costs.

PUBLIC HEALTH SERVICE.

Mr. MANN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 30292) to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, and to increase the pay of officers of said service, and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Public Health and Marine-Hospital Service of the United States shall hereafter be known and designated as the Public Health Service, and all laws pertaining to the Public Health and Marine-Hospital Service of the United States shall hereafter apply to the Public Health Service, and all regulations now in force, made in accordance with law for the Public Health and Marine-Hospital Service of the United States, shall apply to and remain in force as regulations of and for the Public Health Service until changed or rescinded. The Public Health Service may study and investigate the diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage and the pollution either directly or indirectly of the navigable streams and lakes of the United States, and it shall from time to time issue information in the form of bulletins and otherwise for the use of the public.

SEC. 2. That beginning with the 1st day of July next after the passage of this act the salaries of the commissioned medical officers of the Public Health Service shall be at the following rates per annum: Surgeon General, $6,000; Assistant Surgeon General, $4,000; senior surgeon, of which there shall be 10 in number, on active duty, $3,500; surgeon, $3,000; passed assistant surgeon, $2,400; assistant surgeon, $2,000; and the said officers, excepting the Surgeon General, shall receive an additional compensation of 10 per cent of the annual salary as above set forth for each five years' service, but not to exceed in all 40 per cent: *Provided*, That the total salary, including the longevity increase, shall not exceed the following rates: Assistant Surgeon General, $5,000; senior surgeon, $4,500; surgeon, $4,000: *Provided further*, That there may be employed in the Public Health Service such help as may be provided for from time to time by Congress.

Mr. BORLAND. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered, and the gentleman from Illinois is entitled to 20 minutes, and the gentleman from Missouri to 20 minutes.

Mr. MANN. Mr. Speaker, this bill does two things: It makes a slight increase in the pay of the surgeons in the Public Health and Marine-Hospital Service and gives them the same pay that is given to corresponding surgeons in the Army and the Navy, but does not give them the same allowance. While the pay is increased to correspond with the pay in the Army and Navy, the allowances are not increased. It also provides that the "Public Health and Marine-Hospital Service," a title which is very long for the service, shall hereafter be known as the "Public Health Service."

It also provides that the Public Health Service may study and investigate the diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution, either directly or indirectly, of the navigable streams and lakes of the United States, and that it may from time to time issue information in the form of publications for the use of the public.

There have been presented both in this House and in the other House of Congress various propositions in regard to the Public Health Service of the country. There have been bills introduced to create a department of health, a number of such bills. There have been various bills passed to create a bureau of health. Hearings have been had, both in the House and in the Senate on these subjects, and the present bill reported by the Committee on Interstate and Foreign Commerce is for the purpose, if it should be enacted, of disposing, it is hoped, of the agitation in regard to increasing the activities of the Public Health Service, and providing not for a department of health, not for a bureau of health, but merely authorizing the present Public Health Service to make scientific investigation of disease and to publish that information very much along the same lines as are now followed by the Bureau of Animal Industry in the Department of Agriculture.

Mr. SCOTT. Will the gentleman yield?

Mr. MANN. Yes.

Mr. SCOTT. To what extent does this law extend the authority the Public Health Service now has in the matter of making investigations relating to disease and the pollution of water and other things of that sort?

Mr. MANN. There is no department of the Government now authorized by law to make investigation of the pollution of the water or the streams of the country. The Public Health Service has now jurisdiction in the investigation of certain contagious or infections diseases which are named in the law, but they have no authority to investigate any other diseases except, possibly, in the public-health laboratory which they maintain.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. SLAYDEN. Mr. Speaker, I want information with reference to the acts that created the Marine Hospital Service, that no doubt the gentleman can supply. I observe that these gentlemen are referred to as commissioned medical officers, and so forth.

Mr. MANN. Yes.

Mr. SLAYDEN. Was it contemplated in the original act that they should have military rank, title, and privileges?

Mr. MANN. Well, the Marine Hospital Service, I suppose, is one of the oldest services of the Government, originally for the purpose of taking care of the seamen of the merchant marine. Many acts have been passed and they now have titles. No additional titles are conferred here except the title of senior surgeon.

Mr. SLAYDEN. When were those titles given by law?

Mr. MANN. Many years ago.

Mr. SLAYDEN. Are you sure they were created by law?

Mr. MANN. This does not change the law in any respect whatever. They are appointed by the President, confirmed by the Senate, and have the titles that are named in the bill except that of senior surgeon.

Mr. COX of Indiana. Does this add any new officer?

Mr. MANN. It adds no new officer.

Mr. SLAYDEN. I understand they have what is called in the Army "fogy increase."

Mr. MANN. They have that now.

Mr. O'CONNELL. Will the gentleman yield?

Mr. MANN. I yield to the gentleman from Massachusetts.

Mr. O'CONNELL. I have received a number of communications protesting against this bill, and one of the reasons for their objection to this bill is because they say this bill gives the officers a chance to invade the privacy of homes without any notice.

Mr. MANN. Let me say to the gentleman from Massachusetts and the other gentlemen of the House that there was decided opposition, and I think very properly so, to some of the bills which have been pending. Some of the provisions in the bill created a department of health, and there was decided opposition on the part of Christian Scientists and other people who did not believe in what is sometimes denominated the regular school of medicine, but after this bill was introduced—this bill—protests flooded the House with reference to the subject, and a hearing was given to those opposed to the bill, the League of Medical Freedom, various Christian Scientists, and I will say that they have none of the objections which they had in mind to the provisions of the bills which were introduced. There is nothing in this bill which will authorize a medical officer to invade the privacy of anyone's home.

Mr. LONGWORTH. Does the gentleman refer to this hearing where these associations were represented by Mr. Gordon, the former lieutenant governor of Ohio?

Mr. MANN. Yes.

Mr. LONGWORTH. That is what the gentleman refers to, and his bill is not objected to.

Mr. MANN. Oh, there is objection to the bill; they are afraid it may be extended. Now, let me say that the American

Medical Association, or one of its officials, in some hearings which were had some years ago before the Committee on Interstate and Foreign Commerce made the statement that it was the desire on their part at the time that the Government shall control diseases; that they might take possession of diseased persons, and inspect homes, and so forth; and a large share of the scare that has grown up in reference to increasing the efficiency of the Public Health Service has grown out of that statement; and I am frank to say that no member of the Committee on Interstate and Foreign Commerce, and I think no Member of the House, would for a moment be in favor of any such law.

Mr. O'CONNELL and Mr. FITZGERALD rose.

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. MANN. I yield to the gentleman from New York.

Mr. FITZGERALD. I should like to ask the gentleman just how much does this bill extend the present power and jurisdiction of the Public Health and Marine-Hospital Service. Before the gentleman answers the question, I wish to call his attention to the fact that in the sundry civil bill provision is made for this service to take into one of its hospitals at any one time 10 persons suffering from contagious diseases. Will the gentleman explain if, under this bill, the present powers and jurisdiction of the service are extended?

Mr. MANN. The Public Health Service now has jurisdiction over certain specified contagious diseases.

Mr. COX of Indiana. What diseases?

Mr. MANN. I am not able to enumerate them to the gentleman, but smallpox, cholera, and a few things of that kind. They have also jurisdiction where there is an infectious or contagious disease that breaks out, like bubonic plague. They would have jurisdiction in connection with the officials of the State. They have now jurisdiction in their laboratory to investigate diseases also, and they have been investigating the disease of pellagra. There is a question as to whether they have really jurisdiction to make investigation of such diseases as pellagra, hookworm, and some new diseases which have come up. This gives them the authority to investigate those diseases and specifically includes the authority to investigate pollution of the water supply, which no branch of the Government now possesses.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. BARNHART. Will the gentleman yield for a question?

Mr. MANN. I yield to the gentleman from Indiana [Mr. BARNHART] first.

Mr. BARNHART. I want to ask, Mr. Speaker, if this would give the Government authority over the State boards and city boards of health.

Mr. MANN. It would not.

Mr. BARNHART. There is no specific instruction here for it to do anything except to investigate and report?

Mr. MANN. That is all the power it has. I will say to the gentleman that there have been various bills pending that propose to have the Public Health Service given authority to call upon State boards, and so forth. There is nothing of the sort in this bill. We did not desire to include that.

Mr. DALZELL. The text of the bill on page 1, as I read it, does not do any more than to change the name of the Public Health and Marine-Hospital Service.

Mr. MANN. That is all it does on page 1.

Mr. DALZELL. And at the top of page 2 is all the additional power that is given by the bill?

Mr. MANN. That is absolutely true. The only additional power in the bill given to the Public Health Service is in lines from 1 to 7, inclusive, on page 2.

Mr. DALZELL. And section 2 relates entirely to increase of salaries?

Mr. MANN. Relates entirely to increase of salaries.

Mr. MADDEN. How much does this increase the salaries, and how much is the total increase in the cost of the service, and how many additions will it make?

Mr. MANN. Nobody can tell the total of the increase, because that is a matter of longevity pay. They now receive longevity pay. I will state to the gentleman what the increase is so far as individuals are concerned. The Surgeon General now receives $5,000. He has no longevity pay. This bill would give him $6,000. The senior surgeon now gets $4,060, and there are 10 senior surgeons. This would give them a possible $5,000. The surgeons now receive a possible $3,500. This would give them a possible $4,000. That would include the full 20 years' longevity pay. Passed assistant surgeons now receive $2,000. This would give them $2,400. The assistant surgeons now receive $1,600, and this would give them $2,000. The increase in pay is only necessary because the bright young surgeons of the country now will not desire to go into this service, because if they want to enter Government service they make for the Army and Navy, where they get this increased pay and also greater allowances than are provided for even by this bill.

Mr. MADDEN. I just wanted to know whether this did not provide for the employment of a definite number of additional surgeons.

Mr. MANN. Oh, not at all. The last provision does not profess to cover surgeons at all.

Mr. MADDEN. Well, whatever help may be needed is authorized under this bill.

Mr. MANN. As may be provided for from time to time by Congress. But the number of surgeons is fixed by law.

Mr. MADDEN. Does it by appropriation or by law?

Mr. MANN. By appropriation, I suppose.

Mr. MADDEN. This law, then, does lay the foundation for the Appropriations Committee to recommend the pay for any additional number of men that may be required?

Mr. MANN. Only the ordinary force of the office; that is all.

Mr. COX of Indiana. I would like to have the gentleman's information on this, because I always have implicit confidence in his judgment, as to whether or not the gentleman believes this is laying a foundation, either directly or indirectly, later on, on which to establish a department of health.

Mr. MANN. If I thought it was, I would not be for it.

Mr. President, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has five minutes remaining.

Mr. MANN. I will say to the gentleman from Indiana [Mr. Cox], and then I hope I may reserve my time for a moment, that if this bill passes I think it will end the agitation for a department or bureau of health. If this bill does not pass, or some similar bill does not pass in the future, it is likely that sometime, under the same kind of enthusiasm that caused two national conventions to declare in favor of a department of health, such a department might be created. Such a department is not needed, and it would be very much to the disadvantage of the Government to have a department of health, in my judgment.

I reserve the balance of my time.

Mr. BORLAND. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. MARTIN.]

Mr. MARTIN of Colorado. Mr. Speaker and gentlemen, I want to use my five minutes, not to tell what I know about this bill, but rather to suggest what I do not know about it. And it is what I do not know about this measure, its possible scope and result, that causes me to doubt the advisability of passing any such measure after 40 minutes' debate under suspension of the rules; yet I undertake to say that I know as much about this bill as the average Member sitting here present.

Now, the first knowledge I had of such a measure pending was when I received a telegram, such as perhaps all of the other Members of this body have received, protesting against the passage of this bill; and the first thing I did was to go to the chairman of the Interstate Commerce Committee and show him this telegram and ask him what there was about this measure. I recollect very distinctly that he told me that it was a mere matter of a change of name in the Public Health and Marine-Hospital Service, and that some power was to be given that service to prevent the pollution of interstate streams, and I think I can say truthfully that I have heard the chairman of the Committee on Interstate and Foreign Commerce make that same statement to other Members since that time.

I thereupon got a copy of this bill, and concluded at the very first glance that the change of name and the matter of investigating and preventing the pollution of interstate streams were very minor elements in the make-up of this bill, and I am of that opinion still. What is the scope of the authority of this new Public Health Service under this bill? Is it such as the gentleman from Illinois said, with reference to a former measure pending in this House?—

> I do not know to what scope the bill may reach. I do not know from a reading of the bill just how far it is intended to change the law with reference to the quarantine regulations or health regulations.

I defy any Member of this House to read this bill through and tell what is intended by it unless it is to place under the control of the health department the subject of all the health regulations in the United States.

Mr. COOPER of Wisconsin. What is the gentleman reading from?

Mr. MARTIN of Colorado. I am reading now from the hearings before the Interstate and Foreign Commerce Committee.

Mr. COOPER of Wisconsin. Of what date?

Mr. MARTIN of Colorado. On Thursday, January 19, 1911.

Mr. HINSHAW. Was that in reference to this very bill?

Mr. MARTIN of Colorado. No; not in reference to this particular bill, but in reference, as I understand it, to a very similar bill that was introduced in the House in a former Congress. But, leaving that out of consideration, the gentleman from Illinois said a few moments ago that he doubted whether under the existing law the Marine-Hospital Service had the right to investigate certain diseases. I believe he named the hookworm and one or two other diseases. He said he doubted whether under the existing law the Marine-Hospital Service had the right to investigate those diseases, and that the authority or jurisdiction of the Marine-Hospital Service is now confined to certain contagious diseases such as smallpox, the bubonic plague, and so forth.

But I do not suppose the gentleman will say there is any doubt whatever about the jurisdiction and authority of the Public Health Service, if this bill becomes a law, to investigate not only these contagious diseases and such diseases as the hookworm, but every disease to which human flesh is heir; and there is no boundary, no limit that I can see, fixed in the bill as to where and under what conditions and as to when and how these investigations are to be carried on.

I noticed the statement in this bill that the existing rules and regulations of the Public Health and Marine-Hospital Service are made the rules and regulations under the law, as it will be under this bill, and I wrote to the Public Health and Marine-Hospital Service for a copy of their rules and regulations, and I have them here in my hand. You can see the bulk of them, but you do not know what is in them. But I found this one thing in them, that their authority and jurisdiction heretofore seems to be confined to quarantine and quarantinable diseases. Everything in these regulations practically refers to quarantine matters; and, as the chairman of the Committee on Interstate and Foreign Commerce said awhile ago, their present operations are confined to the laboratory here, but if this bill is enacted their operations will be confined by the boundaries of the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BORLAND. Mr. Speaker, I yield two minutes more of my time.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BORLAND] yields two minutes to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. It would be enlightening if some gentleman who understands this business better than I do could take this bill and these regulations and go through them and determine just what would be the power and jurisdiction of this new Public Health Service.

Now, I find this regulation:

> It shall be the duty of the director of the laboratory to recommend to the Surgeon General, from time to time, special researches in the prevention, causation, and cure of disease, matters relating to the public health, and collateral subjects pertaining thereto.

As I say, this authority now seems to be very limited. It is limited to the laboratories down here; it is limited to quarantine stations to prevent the coming in of immigrants with certain contagious diseases—only about seven in all. But this bill authorizes the investigation of all diseases of man, and who will say, in the light of these rules and regulations, that it will not embrace as well the indorsement and recommendation of methods of treatment and the remedies, thereby giving standing and authenticity to certain schools of medicine?

I turn over on the next page, and I find the Chief of the Division of Chemistry shall have certain powers, and the Chief of the Division of Pathology and Bacteriology shall have certain powers, and I find that the Chief of the Division of Pharmacology, going into the matter of medicine, shall have certain powers and shall conduct investigations and analyses in relation to disease, thereby, it seems to me, endangering the creation of a bureau which may conduct investigations and make reports along the line of certain schools of medicine without any limitation being put into the bill as to the scope of its work.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BORLAND. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. COX].

Mr. COX of Indiana. Mr. Speaker, like several other gentlemen of this House, I have received in the last month many protests against the passage of this bill. Personally I do not know very much about it, but I am very much afraid that this bill will do a great deal more than many Members of this House think and believe it will. It may be, and possibly is, true that in the case of a great calamity the Government should take charge of infectious diseases like cholera and diseases of that sort. But this bill goes far beyond anything that the Government has ever undertaken to do heretofore.

I want to call the attention of Members of the House to a paragraph on page 2, which gives authority to the United States to enter the States and examine into the conditions in regard to the propagation and spread of disease, examine sanitation, sewage, and so forth. It strikes me that that is a matter which ought to be left exclusively to the States. I take it that every State in the Union has a State board of health that ought to be competent to examine into these matters.

Mr. FOSTER of Illinois. Will the gentleman yield?

Mr. COX of Indiana. Certainly.

Mr. FOSTER of Illinois. How about agriculture? Do you think the States ought to take care of all the agricultural interests of the State?

Mr. COX of Indiana. That is different. I am unalterably opposed to letting anything go through to lay a foundation for a great department of health, to any proposition that will later on be multiplied and enlarged upon and made the foundation of a great department of health. That I am absolutely opposed to.

It is getting customary for the people to come to the Government of the United States to get the Government to do everything. If it does not stop soon I do not know where we are going to land. It strikes me that the people to-day are growing more and more helpless back in our country and territory. They are getting in the habit of coming to Congress to get the Government to do something for them that they can and ought to do for themselves, and I believe that we are laying the foundation here for the Government to do the very thing which the State ought to do for itself.

Mr. COOPER of Wisconsin. Will the gentleman yield for a question?

Mr. COX of Indiana. Yes.

Mr. COOPER of Wisconsin. Does the gentleman send to the farmers in his district the book on the Diseases of Cattle and Horses?

Mr. COX of Indiana. I do; but I do not propose to allow the Government to send its physicians out there to practice medicine in my district in opposition to the physicians in my district.

Mr. COOPER of Wisconsin. Have the veterinarians or the farmers ever complained about it?

Mr. COX of Indiana. Well, they are not very wild over it or much informed about it, and I doubt if this expense has ever paid for itself.

Mr. BORLAND. Mr. Speaker, this is a pretty safe bill to vote against in any case. If it accomplishes no more than the chairman of the committee explained in his opening statement, then it is scarcely worth voting for. If it accomplishes no more than that, it would hardly find a place on the floor of the House. Pretty nearly everything in it relating to the power of the Public Health and Marine-Hospital Service is already embraced in their power, and they are to-day doing it.

For the purpose of giving the House as much information as I or any Member possesses as to the functions of that bureau, I am going to send to the desk and have read from the Congressional Directory a description of the functions of the Bureau of Public Health and Marine-Hospital Service.

The Clerk read as follows:

PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

The act approved July 1, 1902, "An act to increase the efficiency and change the name of the United States Marine-Hospital Service," provides for a Bureau of Public Health and Marine-Hospital Service at Washington, comprised of seven divisions. The operations of these divisions are coordinated and are under the immediate supervision of the Surgeon General.

Through the Division of Scientific Research and Sanitation are conducted the scientific investigations of the service and the operations of the Hygienic Laboratory at Washington, established for the investigation of contagious and infectious diseases and matters relating to the public health. The advisory board of the Hygienic Laboratory consists of eight scientists eminent in laboratory work in its relation to public health, detailed from other departments of the Government and appointed from endowed institutions. The board may be called into conference with the Surgeon General at any time, the meetings not to exceed 10 days in any one fiscal year. The Surgeon General is required by law to call a conference of all State and Territorial boards of health or quarantine authorities each year, the District of Columbia included, and special conferences when called for by not less than five of said authorities, and he is also authorized to call additional conferences when, in his opinion, the interests of public health demand it. He is charged with the enforcement of the act of July 1, 1902, "An act to regulate the sale of viruses, serums, toxins, and analogous products in the District of Columbia, to regulate interstate traffic in said articles, and for other purposes." He has supervision of special investigations upon leprosy, conducted in Hawaii under the act of July 1, 1905.

Through the Division of Foreign and Insular Quarantine and Immigration the Surgeon General enforces the national quarantine laws and prepares the regulations relating thereto. He has control of 44 Federal quarantine stations in the United States and others in the Philippines, Hawaii, and Porto Rico, and supervises the medical officers detailed in the offices of the American consular officers at foreign ports to prevent

the introduction of contagious or infectious diseases into the United States. Under section 17 of the act approved February 20, 1907, he has supervision over the medical officers engaged in the physical and mental examinations of all arriving aliens.

Through the Division of Domestic (Interstate) Quarantine is enforced section 3 of the act of February 15, 1893, relating to the prevention of the spread of contagious or infectious diseases from one State or Territory into another. This includes the suppression of epidemics.

Through the Division of Sanitary Reports and Statistics there is collected information of the sanitary condition of foreign ports and places and ports and places within the United States, including the existence of epidemics. This information, with morbidity and mortality statistics, domestic and foreign, are published in the weekly Public Health Reports and transmitted to State and municipal health officers and other sanitarians and to collectors of customs.

Through the Division of Marine Hospitals and Relief professional care is taken of sick and disabled seamen at 23 marine hospitals and 123 other relief stations. The beneficiaries include officers and crews of registered, enrolled, or licensed vessels of the United States and of the Revenue-Cutter Service and Lighthouse Service; seamen employed on vessels of the Mississippi River Commission and of the Engineer Corps of the Army; keepers and surfmen of the Life-Saving Service. A purveying depot for the purchase and issuance of supplies is maintained at Washington. Physical examinations of keepers and surfmen of the Life-Saving Service, of officers and seamen of the Revenue-Cutter Service, and the examinations for the detection of colorblindness in masters, mates, and pilots are conducted through this division.

In the Division of Personnel and Accounts are kept the records of the officers and of the expenditures of the appropriations.

Through the Miscellaneous Division the various service publications are issued, including the annual reports, public-health reports and reprints, public-health bulletins, bulletins of the Hygienic Laboratory and Yellow Fever Institute, and the transactions of the annual conferences with State health authorities. The medical evidences of disability in claims for benefits against the Life-Saving Service are reviewed.

Mr. BORLAND. Mr. Speaker, the House can see from that brief statement about what the functions of this hospital and health service are. It is proposed now to grant an increase of salary all down the line to perform some additional duties. If this bill does not impose any additional duties beyond what were explained, there will be no justification for this bill or for the increase of salaries. If the additional duties are embraced anywhere in this bill, they are at the top of page 2:

The Public Health Service may study and investigate the diseases of man and conditions influencing the propagation and spread thereof.

I believe in the old-fashioned school of medicine. While I sympathize with all others who believe in other lines of medicine and who believe in different schools for the cure of human ills, I believe they ought to have all of the liberty that is safe and consistent in this country. But here we will clothe this board with more than its proper Federal functions. It is now proposed to clothe it with part of the police powers of the State, or what will conflict directly with the police powers of the State, by giving them the right to investigate all of the conditions out of which all of the diseases of all of mankind may possibly arise. If that is not a broad power, I never heard of one. I can not conceive of a bill being drawn any broader than that.

To say that this board may study the diseases of man and the conditions influencing the propagation and spread thereof is a very broad power to grant. There is absolutely nothing under that kind of power that this board could not perform, whether it be of a local or national character. Evidently that is what has given rise to the opposition and fear of this bill. Evidently that kind of function is beyond the jurisdiction and power of the Federal board. They now have the power of calling a conference of all of the State officials in regard to contagious diseases and propagating all of the information that the State officials themselves are able to gather, either through the local aid of State officials or through their laboratories here in Washington. They have all of the information in regard to human ills that the Agricultural Department can furnish us in regard to those of animals. The Agricultural Department when it undertakes to cure hogs—and they put this on the same level with the curing of hogs—does not undertake to send out the serum and put it into the hogs. It did that once or twice, but now it sends the inquirer to the State universities.

It is trying to do those things through the State authorities, and this board could do its work through the State authorities by calling a conference, as the law provides, and having its laboratories here in the city of Washington and then sending out the information. It should act in cooperation with the State authorities. There is no need for this law and no demand for it on the part of the public and no need for this increase of salaries.

I yield three minutes to the gentleman from Massachusetts [Mr. McCALL].

Mr. McCALL. Mr. Speaker, I have received a letter from a very distinguished constituent of mine, President Eliot, of Harvard University, referring to the bill H. R. 30292. He says:

I am sure it is not desirable or wise that the national Public Health Service should be placed in the hands of the Surgeon General and his subordinates. The bill H. R. 30292 gives a very wide scope to the activities of the proposed public health service in lines 12 and 13 of page 1 and 1 to 5 of page 11. Over any bureau or department with such functions a civilian scientist ought certainly to preside. Lines 23 to 25 on page 11 would give the Surgeon General control over the entire National Health Service——

Mr. YOUNG of Michigan. Will the gentleman permit a suggestion right there?

Mr. McCALL. Yes.

Mr. YOUNG of Michigan. That letter evidently refers to a different bill than this, because there is no such page as page 11.

Mr. McCALL. It refers to the bill H. R. 30292.

Mr. NYE. That is this bill.

Mr. McCALL. I misread that. That is page 2. At any rate, I will read the letter. He continues:

Lines 23 to 25, on page 2, would give the Surgeon General control over the entire national health service, if Congress should make the necessary appropriation; but all the medical officers employed under that clause would be subordinates of the Surgeon General. We have never had a Surgeon General who was fit to exercise such a comprehensive control, and it is in the highest degree improbable that we ever shall have, since the training and functions of a Surgeon General do not prepare him for that kind of scientific work.

The bill makes an unwise proposal in an insidious way. It ought not to get any standing at all before Congress.

Then he goes on to refer to a certain league, which he says is a combination of all the quacks, and so forth—

against every public control of medical and surgical practitioners and of pharmacists. They also, as a rule, oppose medical research, vaccination, and the use of antitoxins of all sorts. They are opposed to the use of the collective forces of the community to protect people from the results of ignorance, superstition, and deceit. Unfortunately, diseases, like ignorance and superstition, can not be successfully resisted on the principle of respecting each individual's right to suffer, be sick, and die. Possibly there is such a right, but it can not be exercised without grave danger to many other individuals. Contagious diseases take effect on masses of people, and they can only be successfully resisted by collective action.

[Applause.]

That is signed Charles W. Eliot.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. Has the gentleman from Missouri exhausted his time?

The SPEAKER pro tempore. The gentleman has exhausted his time.

Mr. MANN. How much time have I?

The SPEAKER pro tempore. The gentleman has five minutes remaining.

Mr. MANN. I yield two minutes to the gentleman from Illinois [Mr. FOSTER]. [Applause.]

Mr. FOSTER of Illinois. Mr. Speaker, I am as broad, I think, and liberal in medicine as any man who ever practiced that profession. [Applause.] I would not for one minute stand upon this floor and advocate a bill that I thought was going to give to any particular school any right over any other school of medicine, but I want to say that in my judgment this bill only enlarges the power of the Public Health Service to investigate disease, to find out what causes it, and the prevention of that disease. Members to-day appear to be very much scared because they think that this health bill might go into the State and investigate some of the conditions concerning the causes of disease, and yet I have to hear the first one get upon this floor and protest against the Government spending thousands of dollars to investigate the disease of hog cholera throughout the country, of gapes in chickens, of diseases of the horse and cow, and all those troubles that concern the States. This bill is not an invasion of State rights, nor an interference of the rights of any State. Not a word has been uttered against all this. I want to say, Mr. Speaker, that if this bill passes it gives these men the right to investigate the diseases of man and the conditions surrounding the same and will put the Public Health Service upon a footing that it ought to stand upon; that is that it may have the power to go out and investigate the cause of diseases, try to prevent them, and then issue popular bulletins that go to the people that they may read them and become familiar with those causes, and how best to prevent disease affecting man. I hope, Mr. Speaker, nobody in this House to-day will feel that this is an abridgement of the right of any man to practice medicine or to select any particular school of practice that he may desire.

This bill also gives the Public Health Bureau the right to investigate the pollution of streams as affected by sewage and other causes of pollution. No man who has studied the question of water will deny that this is a most important question and one that needs careful study. A nation can not be a prosperous and happy nation without its people are healthy and strong. The cost to the people in sickness amounts to hundreds of millions of dollars each year.

The people of the South recognize of what value the discovery of the cause of yellow fever has been to that section of our country. That disease does not have its terrors since the cause has been ascertained and the means of prevention found.

There are to-day many diseases which affect man that the cause and prevention is not understood, and we hope that with a proper investigation much may be learned and thereby human lives may be saved.

This bill deals with the question of the cause and prevention of disease and not any particular kind of practice. As a physician I feel that we ought to give more attention to the investigation of this great question, and it is to be hoped that if this bill becomes a law it may be the means of saving human life. I hope the bill will pass. [Applause.]

Mr. MANN. Mr. Speaker, there is not a line in the bill, not a word in the bill that in any way will affect the rights of the States or the rights of local communities or the rights of individuals to be protected under the law in every right which they have. There is not a line or a word in the bill that confers upon the General Government or upon this department the authority to interfere with the States or municipalities, or with individuals. What does this bill do in the main? The main provision in the bill is the authority to study the pollution of the water supply of the country, the pollution of the navigable streams and the lakes of the country. If we keep on as we are going now in a few years in this country it will be impossible to drink water any more, and we will be driven to the position to which they have been driven abroad of drinking wine in place of water. [Applause.] I want to see the water supply studied; I want to see a study and investigation of *the subject in* such a way that we will be protected in the use of water, and this bill will give authority to make a study. This bill authorizes the study and investigation of diseases and the publication of the results of such investigation. It authorizes a scientific study of the diseases of man as we now make a study of the diseases of hogs and chickens, and I think it is just as much worth while for us to know about the diseases to which we are subject as it is to know about the diseases to which hogs are subject, to which our horses are subject, to which our cows are subject. The other day we passed legislation to authorize 100,000 more copies of the horse book——

A MEMBER. And the cattle book.

Mr. MANN. And 100,000 more copies of the cow book. I want to see the time when we can furnish information to the people as to the diseases to which they are subject. [Applause.] I believe by a proper study of the subject that we can eradicate many of the diseases to which the human flesh is now heir. It only takes scientific investigation and a publication of that investigation to eradicate many of those diseases. [Loud applause.]

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired. The question is on suspending the rules and passing the bill.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. COX of Indiana. Division, Mr. Speaker.

The House divided; and there were—ayes 125, noes 51.

Mr. MARTIN of Colorado. Tellers, Mr. Speaker.

Mr. HINSHAW. Mr. Speaker, I demand the yeas and nays.

Mr. HEFLIN. I ask for tellers, Mr. Speaker.

Tellers were refused, 34 Members, not a sufficient number, seconding the demand.

Mr. HEFLIN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER (after counting). Thirty-two Members, not a sufficient number.

Mr. HEFLIN. Mr. Speaker, I ask for the other side.

The negative vote was taken on the demand for the yeas and nays.

The SPEAKER. On this vote there are 32 yeas and 144 nays. The yeas and nays are refused.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

EXTENSION OF REMARKS ON FORTIFICATION OF THE PANAMA CANAL.

Mr. FOSTER of Vermont. Mr. Speaker, I ask unanimous consent that Members may print remarks on the fortification amendment for four days.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAWNEY. Mr. Speaker, I understand the gentleman from Vermont [Mr. FOSTER] has asked unanimous consent to print remarks on the fortification amendment to the sundry civil bill.

The SPEAKER. Yes; for four days.

Mr. TAWNEY. I have been requested by a number of Members to make that request in their behalf generally, but, of course, will not do so now.

GENERAL DEFICIENCY BILL.

Mr. TAWNEY, by direction of the Committee on Appropriations, reported a bill (H. R. 32957) making appropriations to supply deficiencies in appropriations for the fiscal year 1911, and for prior years, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union and, with the accompanying report (No. 2268), ordered to be printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order on the bill.

BONDING OF GOVERNMENT EMPLOYEES.

Mr. TAWNEY, from the Committee on Appropriations, submitted a report (No. 2267) of the joint commission of Congress to inquire into the rate of premium heretofore and now being charged, as well as those proposed to be charged, by surety or bonding companies for bonds of officers or employees of the United States, which was referred to the House Calendar and ordered to be printed.

GOLD BULLION AND FOREIGN GOLD COIN.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and take from the Speaker's table the bill S. 10457 and pass the same.

The SPEAKER. The gentleman from New York moves to suspend the rules and take from the Speaker's table the following Senate bill and pass the same, which bill the Clerk will report.

The Clerk read as follows:

A bill (S. 10457) to amend section 6 of the currency act of March 14, 1900, as amended by the act approved March 4, 1907.

Be it enacted, etc., That section 6 of an act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900, as amended by the act approved March 4, 1907, be, and the same is hereby, further amended so as to read as follows:

"SEC. 6. That the Secretary of the Treasury is hereby authorized and directed to receive deposits of gold coin with the Treasurer, or any assistant treasurer of the United States, in sums of not less than $20, and to issue gold certificates therefor in denominations of not less than $10, and the coin so deposited shall be retained in the Treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued, and when held by any national banking association may be counted as a part of its lawful reserve: *Provided,* That whenever and so long as the gold coin and bullion held in the reserve fund in the Treasury for the redemption of United States notes and Treasury notes shall fall and remain below $100,000,000 the authority to issue certificates as herein provided shall be suspended: *And provided further,* That whenever and so long as the aggregate amount of United States notes and silver certificates in the general fund of the Treasury shall exceed $60,000,000 the Secretary of the Treasury may, in his discretion, suspend the issue of the certificates herein provided for: *And provided further,* That of the amount of such outstanding certificates one-fourth at least shall be in denominations of $50 or less: *And provided further,* That the Secretary of the Treasury may, in his discretion, issue such certificates in denominations of $10,000, payable to order: *And provided further,* That the Secretary of the Treasury may, in his discretion, receive, with the assistant treasurer in New York and the assistant treasurer in San Francisco, deposits of foreign gold coin at their bullion value in amounts of not less than $1,000 in value and issue gold certificates therefor of the description herein authorized: *And provided further,* That the Secretary of the Treasury may, in his discretion, receive, with the Treasurer or any assistant treasurer of the United States, deposits of gold bullion bearing the stamp of the coinage mints of the United States, or the assay office in New York, certifying their weight, fineness, and value, in amounts of not less than $1,000 in value, and issue gold certificates therefor of the description herein authorized. But the amount of gold bullion and foreign coin so held shall not at any time exceed one-third of the total amount of gold certificates at such time outstanding. And section 5193 of the Revised Statutes of the United States is hereby repealed."

The SPEAKER. Is a second demanded?

Mr. UNDERWOOD. I am not opposed to this bill, Mr. Speaker, but in order that the House may understand what the bill is, unless someone who is opposed to it desires a second, I will demand a second myself.

The SPEAKER. A second is ordered under the rule. The gentleman from New York [Mr. PAYNE] is entitled to 20 minutes and the gentleman from Alabama [Mr. UNDERWOOD] is entitled to 20 minutes.

Mr. PAYNE. Mr. Speaker, this bill is identical with House bill 31857, to amend section 6 of the currency act of March 14, 1900, as amended by the act approved March 4, 1907, which bill was reported unanimously from the Committee on Ways and Means. It simply allows the Secretary of the Treasury to issue certificates for the value of the gold bullion and gold coin that has been deposited in the Treasury of the United States or in the subtreasuries at New York and San Francisco, I believe.

One object of the bill is to get rid of the expense of recoinage. Under the present practice a large amount of foreign coin is brought into the United States and recoined here and then sent

abroad and recoined there, and this would save the expense of our recoinage. It amends the section of the act which provides for the coinage of gold into coin and the issuance of certificates against that; but the chief object of this bill is to save the coinage of the gold bullion and the gold bars that are deposited in the Treasury and issuing certificates therefor similar to those issued for gold coin.

Mr. NORRIS. Will the gentleman yield?

Mr. PAYNE. Certainly.

Mr. NORRIS. I would like to ask the gentleman whether the bill provides what these certificates shall be called. Will they be a new form of certificate?

Mr. PAYNE. It does not give any particular name to them. It simply authorizes the Secretary of the Treasury to issue certificates for the gold bullion deposited. Of course, they would be similar.

Mr. NORRIS. Are they the same as the present gold certificates?

Mr. PAYNE. They would pass as currency the same as the present gold certificates, and would be of the same value as the bullion represented by these certificates, just as the present certificates certify that gold coin has been deposited in the Treasury to such and such a value.

Mr. NORRIS. Does the law provide that they shall be a legal tender?

Mr. PAYNE. There is no express provision to that effect.

Mr. TAWNEY. There is no express provision to that effect in this act, but there is provision in the general law.

Mr. NORRIS. Would that apply to these certificates?

Mr. PAYNE. This law becomes a part of the act of 1900 and to the amendment of that act in 1907, which requires that all of these certificates shall be redeemed in gold coin.

Mr. TAWNEY. There is another provision of law, carried on the sundry civil appropriation bill, which authorizes the printing of the certificates and requires them all to be of the same size—uniform in size.

Mr. NORRIS. On the presentation of these certificates the Government would have to pay them, not in gold coin, but in bullion?

Mr. PAYNE. In gold coin.

Mr. NORRIS. They would deposit gold bullion, and the men who had them redeemed would get gold coin?

Mr. PAYNE. They are redeemable in gold coin.

Mr. NORRIS. That would obviate the necessity of the coinage of the gold?

Mr. PAYNE. Yes; and it would save the expense of it.

Mr. NORRIS. There might come a time when they would have to coin this bullion in order to have enough gold with which to redeem these certificates.

Mr. PAYNE. That is provided for.

Mr. BENNET of New York. I will ask the gentleman, Would this effect a saving to the Government?

Mr. PAYNE. In answer to that I would say that the Secretary of the Treasury, in his letter, under date of December 10, 1910, addressed to the Speaker of the House of Representatives, said that—

> During the last 20 years there has been imported into this country $379,000,000 in foreign gold coin, and of this amount $311,000,000 was deposited at the mints for recoinage. In the meantime, $829,000,000 of the United States gold coin has been exported. The $311,000,000 of foreign gold coin was recoined at our mints at the expense of our Government, while more than double that amount of our own money was exported during the same period. The coinage of $311,000,000 of foreign gold coin into American coin must have cost at least $800,000, or $40,000 per year.
>
> We have now some $940,000,000 in gold coin stored away in the various subtreasuries and mints, the greater part of which is a reserve against gold certificates that in all likelihood will never be presented for redemption in coin. In the majority of cases where gold certificates are presented in large quantities for redemption it is for the purpose of securing gold bars, yet we continue to coin each year nearly $100,000,000 in gold, at an annual cost of somewhere between $200,000 and $300,000. If gold certificates might be issued against this gold bullion, the major part of this cost would be saved without in any way impairing the redeemability of the certificates, and at the same time bankers and exchange dealers could be in a position to secure bars, which they prefer for purposes of export, with greater promptness and less expense. In view of the fact that America produces nearly $100,000,000 in gold per year, and that the inevitable drift of gold must be from America, it is peculiarly reasonable that a considerable part of the gold which we produce should not be transformed at once into coin.
>
> The plan contemplated in the following-suggested bill offers abundant safeguards against the excessive reduction of the deposits of United States coin gold held against the certificates in requiring that the amount of gold bullion so held shall not at any time exceed one-third of the total amount of gold certificates at such time outstanding and in providing that the receipt of gold bullion and foreign gold coin shall always remain at the discretion of the Secretary of the Treasury.

I can not see any possible objection upon the part of any gentleman to the bill.

Mr. BENNET of New York. As I understand, it saves $200,000 or $300,000 a year to the Government.

Mr. PAYNE. Yes. Mr. Speaker, I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WILSON].

Mr. WILSON of Pennsylvania. I notice that this bill does not provide that these certificates shall be legal tender. It provides that such certificates shall be receivable for taxes and customs, and so forth.

Mr. PAYNE. This is an amendment to section 6. The other sections do provide that the certificates under the act are legal tender.

Mr. WILSON of Pennsylvania. I wanted to get the information, because I wanted to know what the effect would be not only upon these certificates, but upon other certificates, if these were not made legal tender.

Mr. PAYNE. They have the same legal status that the other certificates have. By the other sections of the bill all the certificates issued are put in the same class and have the same provision in regard to redeemability.

The SPEAKER. The question is on the motion of the gentleman from New York.

The question was taken; and two-thirds voting in favor thereof, the rules were suspended, and the bill was passed.

WHITE PHOSPHORUS MATCHES.

Mr. DALZELL. Mr. Speaker, I move to suspend the rules and pass House joint resolution 290, authorizing the President to appoint a competent person to investigate the manufacture of white phosphorus matches and report to the next session of Congress.

The Clerk read the joint resolution, as follows:

> Whereas the President in his message of December, 1910, called the attention of Congress to the diseases incident to the manufacture of white phosphorus matches, and the very serious injury caused to many persons employed therein, and recommended remedial and corrective legislation therefor; and
>
> Whereas the legislation proposed looks to the prohibition of the manufacture of white phosphorus matches from and after July 1, 1912, and the sale of such product from and after July 1, 1914: Therefore
>
> *Resolved, etc.*, That the President is hereby authorized and requested to designate and employ a competent person to visit the match factories of the United States, examine the conditions under which the business is carried on, and report to Congress in December, 1911, as follows:
>
> First. Present conditions of manufacture as affecting the health of the employees.
>
> Second. What, if any, substitutes for white phosphorus can be found by which the dangers can be minimized in the manufacture, distribution, and use of matches.
>
> Third. Whether these substitutes are free from patent control and secret formulas for manufacture and open and unrestricted to general use, and not of excessive cost as compared with the matches now produced.
>
> Fourth. Complete and detailed information as to the commercial conditions under which this industry is carried on, whether controlled by any combination or trust, and whether the sale of the product is in any way now restricted or regulated by the producers, beyond the point of free and reasonable competition in trade, and whether the proposed prohibition of the use of white phosphorus in the manufacture of matches would tend toward a monopoly of what has become a necessity of life.
>
> SEC. 2. That the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, for the purpose of this inquiry and investigation.

The SPEAKER. Is a second demanded?

Mr. PARSONS. Mr. Speaker, I demand a second.

Mr. COX of Indiana. I do not know that I am opposed to the bill, but I would like some explanation of it.

The SPEAKER. Under the rule a second is ordered.

Mr. DALZELL. Mr. Speaker, it will be observed that this does not propose any legislation at the present time. It is a joint resolution in lieu of the bill popularly known as the "Esch phosphorus bill." That bill would not go into effect as to a part of its provisions until the 1st of July, 1912, and as to the remaining provisions until July, 1914. The committee did not consider that it has now sufficient information to pass on the questions involved in the bill, and simply reported in lieu of the bill this resolution, which authorizes and directs the President to make an investigation and report at the next session of Congress.

Mr. COX of Indiana. Does the gentleman think that the investigation can be made and the report had at the next session?

Mr. DALZELL. I think so.

Mr. PARSONS. Why is there an investigation needed? Has not the Bureau of Labor investigated the subject?

Mr. DALZELL. It has to a certain extent, but not so thoroughly as the committee thinks it ought.

Mr. PARSONS. In what respect?

Mr. DALZELL. Well, because notwithstanding the question of investigation made by the bureau, there is some question as to whether the passage of the bill in its present shape would not create a monopoly in the manufacture of matches. It is a long story, but I will recite it if gentlemen wish.

The Esch phosphorus bill, in lieu of which this resolution is reported, proposes to tax out of existence the manufacture of matches with white phosphorus. After the first hearing by the committee it appeared that to pass the bill as introduced would be to create a monopoly in the Diamond Match Co., manufacturers of matches in this country. While this was true, there came a pressure from some source or other, so that the Diamond Match Co. was induced in the first place to offer an agreement to the so-called independent match manufacturers that upon payment of a certain amount of money and the performance of certain things the Diamond Match Co. would grant them the use of the French patent under which that company manufactured; still the agreement appeared to the committee to be so unfair that it was not willing to accept it is a justification to the committee in recommending the passage of the bill. Subsequently the Diamond Match Co. surrendered its patent.

But there still remained in the committee a serious doubt as to whether the safe material out of which the Diamond Match Co. makes its matches can be procured in sufficient quantities by outside companies to carry on their business. Furthermore, questions arose as to patented machinery and patented processes, and all that sort of thing, and the committee is not prepared to say now that to report the bill in the shape in which it came to it would not be to establish a monopoly in the manufacture of matches in this country.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. DALZELL. Certainly.

Mr. COOPER of Wisconsin. Does this danger of a monopoly arise out of something connected with patents?

Mr. DALZELL. Out of the fact that the Diamond Match Co. owned a French patent for manufacturing sesquisulphide, which is the only known to be safe material out of which to manufacture safety matches.

Mr. HINSHAW. I understood the gentleman to say that they had canceled the patent.

Mr. DALZELL. They canceled the patent, but there is a question whether or not a sufficient quantity of sesquisulphide, which is controlled by the Diamond Match Co., can be furnished to the independent matchmakers.

Mr. LONGWORTH. I suggest also to my colleague that it is a serious question, as shown by the hearings, whether the passage of the bill in its original form would in fact stop the manufacture of white sulphur matches.

Mr. DALZELL. That is true.

Mr. CALDER. It would not.

Mr. COX of Indiana. Is there any bureau in the Government capable of making this investigation?

Mr. DALZELL. I think there are several.

Mr. COX of Indiana. The gentleman thinks they would have time to do it between now and the convening of Congress?

Mr. DALZELL. I think all of the investigation that is necessary could be made between now and the convening of Congress, certainly in time to legislate at the next Congress.

Mr. COX of Indiana. Does the gentleman express any opinion on this proposition, as to whether or not there is a trust existing in the manufacture of matches?

Mr. DALZELL. Oh, I think there would be if the bill as introduced were passed.

Mr. PARSONS. Will this investigation be confined to matters here, or will they investigate matters abroad also?

Mr. DALZELL. I will read to the gentleman what is proposed to be investigated:

SECTION 1. The President is hereby authorized and requested to designate and employ a competent person to visit the match factories of the United States, examining the conditions under which the business is carried on, and report to Congress in December, 1911, as follows:

First. Present conditions of manufacture as affecting the health of the employees.

Second. What, if any, substitutes for white phosphorus can be found by which the dangers can be minimized in the manufacture, distribution, and use of matches.

Third. Whether these substitutes are free from patent control and secret formulas for manufacturing and open and unrestricted to general use, and not of excessive cost as compared with the matches now produced.

Fourth. Complete and detailed information as to the commercial conditions under which this industry is carried on, whether controlled by any combination or trust, and whether the sale of the product is in any way now restricted or regulated by the producers, beyond the point of free and reasonable competition in trade, and whether the proposed prohibition of the use of white phosphorus in the manufacture of matches would tend toward a monopoly of what has become a necessity of life.

SEC. 2. The sum of $5,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated for the purposes of this inquiry and investigation.

Mr. GAINES. Mr. Speaker, if my colleague will permit me a moment, I think that I can answer the question of the gentleman from New York [Mr. PARSONS]. If it is in order, or if I can get unanimous consent if not in order, I would like to offer an amendment to page 2, line 15, to insert after the word "conditions" the words "and cost in this and foreign countries," so that the investigation would include not only looking into the matter of whether this business is controlled by a trust in our own country, but the extent to which it is also controlled in foreign countries.

Mr. COX of Indiana. Will the gentleman yield?

Mr. GAINES. If the gentleman from Pennsylvania will permit.

Mr. COX of Indiana. I would like to ask the gentleman whether he does not believe the Tariff Board could investigate this condition.

Mr. GAINES. The Tariff Board might, in the course of time, reach that; but it was supposed that this matter sounded in the public health and that there ought to be some quicker action. I think that is the answer.

Mr. DALZELL. Mr. Speaker, while I do not see any objection to the amendment of my colleague, still, at the same time, it seems to me that $5,000 would not cover an investigation of that character.

Mr. HUGHES of New Jersey. I would have to object to that.

Mr. JAMES. They already have that right under the bill.

Mr. PARSONS. But the first part of the bill does refer to visiting factories in the United States, and it might be construed to be limited to the United States.

Mr. JAMES. But the language directing the investigation of the trust or monopoly does not confine it to the United States. The language of the bill is "whether controlled by any combination or trust." It does not say in the United States at all.

Mr. PARSONS. That might be so, and unless they can investigate conditions abroad then we will not learn what they have been able to do in foreign countries where they have rid themselves of these white phosphorus matches.

Mr. DALZELL. Mr. Speaker, I now yield five minutes to the gentleman from Wisconsin [Mr. ESCH], the author of the bill.

Mr. ESCH. Mr. Speaker, this resolution is not what I had hoped as the result of the introduction of the bill last June seeking to prevent the use of white or yellow phosphorus in the manufacture of matches. A hearing was had before the Committee on Ways and Means and men expert in the matter presented their views, and disclosed a state of facts which would render it inadvisable to much longer defend legislation seeking to prevent the use of a poison in the making of matches. However, as this resolution is the utmost which the Committee on Ways and Means are willing to report at this time, I am content to support it. We sought by several means to prevent the use of the white or yellow phosphorus. We thought at one time it might be done by the exercise of the power given under the interstate-commerce clause of the Constitution, but we found that that would not be a sufficient preventive, because factories could establish themselves in the several States, confine their operations to those States, and thus continue the use of this poison. Therefore we thought we would use the taxing power of the Constitution to prevent the use of this poison. The bill introduced by me is based upon that proposition. Now, this resolution directs that a special investigation be made as to the extent of the use of white or yellow phosphorus and of possible innoxious substitutes, as to patents that are now used and as to questions of monopoly, if any such monopoly exist, in the matchmaking industry. The information thus obtained doubtless will be of value, yet there is in a Government publication already an exhaustive report as to the use of white and yellow phosphorus in the match factories of this country. The January, 1910, number of the Bulletin of the Bureau of Labor gives the location of every factory and gives numerous instances of the disease known as necrosis.

The showing is of such a character as to make every man in this House favor some legislation that will prevent this terrible occupational disease. We sought it in the bill that we have introduced, but if that bill is imperfect in form or in the character of the penalties prescribed, we are willing to submit to any amendment that may be offered to perfect it. Possibly this resolution will disclose some additional evidence to enlighten the committee and the Members of Congress as to the character of the legislation we should enact. Let the purpose of Congress be to destroy this occupational disease. This plan of legislation is to my mind the only effective form to reach that

desirable end. A large percentage of the matches now made in this country are made of white and yellow phosphorus, made by the Diamond Match Factory, a so-called trust, and this trust owns the French patent for the use of the sesquisulphide of phosphorus, an innocuous substitute. It has voluntarily canceled its patent, leaving the sesquisulphide available to any manufacturer who wants to use it.

Mr. COX of Indiana. When did they do that?

Mr. ESCH. They did that within one month, as the result of the agitation following the introduction of the bill.

Mr. COX of Indiana. That was the very question I was about to ask the gentleman.

Mr. ESCH. So that if no legislation follows now, the agitation will have had that effect. There are other innoxious elements that can be used as well as sesquisulphide, and are now being used in some continental countries. I want to say every considerable country, England and most every other country of Europe, is prohibiting the use of white or yellow phosphorus, while America, claiming a superior civilization, permits the use of this poison in the manufacture of matches.

Mr. PARSONS. Will the gentleman permit a question? Does the gentleman think that the Congress would get the information it needs if this investigation is confined to the United States? Ought it not to be an investigation of the conditions in other countries also?

Mr. ESCH. I think the investigation in the United States will disclose sufficient information for Congress to act upon. The idea is to get that information as speedily as possible. England is using the French patent, the sesquisulphide, and continental Europe is using the red or scarlet phosphorus, which is innoxious. I believe the thing to do is to get the information and to act thereon.

Mr. MOORE of Pennsylvania. Can the gentleman give any information in regard to the fire losses or loss of life by the use of these matches?

Mr. ESCH. It is extremely large, and it is one of the things that might largely be avoided by the use of these substitutes.

Mr. YOUNG of New York. I want to ask the gentleman a question with regard to Japan, where matches are made very largely.

Mr. ESCH. I have no information with regard to that. One of the most encouraging signs of the present day is the increasing interest now being taken in protecting the health and well-being of our laboring classes. Not only is this true with reference to State legislatures, but it is also true with reference to Congress. The safety-appliance acts and the locomotive-boiler inspection bill just passed, together with provisions securing greater safety to railway mail clerks by requiring the use on the part of common carriers of steel mail cars, indicate that Congress is directing its attention along humanitarian lines, and is doing what it can, under constitutional limitations, to safeguard the lives of employees of the Government as well as of the common carriers, and incidentally of the general public.

The establishment of labor bureaus and the enactment of laws placing upon employers the liability for injuries received in line of duty by their employees; the regulation of the hours of labor; the prevention of child labor; and the amelioration of the working conditions of women on the part of State legislatures attest this new spirit in matters of legislation.

This movement has only started. It is far from being consummated, but we should feel encouraged at the progress already made. Both State and Nation have for years been legislating to prevent injuries to our fruits and grains and for the protection of our food animals, and the result of such legislation has saved millions of dollars to our people and added largely to the quality and amount of our agricultural products. No one will or can raise an objection to this class of legislation, but it seems inconsistent that for so many years so much attention should be given to the protection of our crops and domestic animals, while protection to the human animal has been wholly ignored.

The study of occupational diseases in the United States has been sadly neglected. Our industrial European rivals have far outstripped us in this particular and have enacted stringent laws, both protective and regulatory, in order to wholly abolish or to minimize such diseases. Only a few States have sought to protect human life against occupational diseases. With increase of our population and of our manufacturing interests the need of such legislation is ever increasing. We are beginning to realize that it is not economy to permit any industry to injure the health or take the life of a workman, and thereby possibly impose upon the public the care and keep of himself or of his family.

The new thought now engaging the minds of progressive men and women everywhere is to place the burden of the death or injury or loss of health of the workman, not upon his shoulders, or, in the case of his death, upon those of his widow or orphaned children, but upon the industry itself, thereby distributing it upon the public at large.

In the carrying out of this thought there was organized in this country five or six years ago the American branch of the International Association for Labor Legislation. This branch has already taken an active interest in promoting legislation aiming to improve the condition of the American workmen and has given much attention to the investigation of occupational diseases.

In the fall of 1908 Dr. John B. Andrews, secretary of the American Association for Labor Legislation, entered upon the study and investigation of "phosphorus necrosis," commonly known as "phossy jaw," an occupational disease connected with the manufacture of matches with white and yellow phosphorus. Shortly after he had started his investigations the Commissioner of Labor, Hon. Charles P. Neill, started a like investigation, and Dr. Andrews was invited to cooperate. The result of their joint labors was published in the January (1910) number of the Bulletin of the Bureau of Labor. The report is exhaustive, practically every match factory in the United States having been investigated personally, either by Dr. Andrews or some official of the Bureau of Labor.

It was found that there were 16 match factories in the United States in 1909, employing 3,591 persons, of which 2,024 were males and 1,253 females 16 years of age or over. The number of children under 16 years of age employed was 314.

Sixteen definite cases of phosphorus poisoning were discovered, and talks with factory managers disclosed the fact that many other cases had occurred. An investigation made by Dr. Andrews in the homes of the work people of 3 of the factories disclosed a total of 82 cases. In 2 factories 8 perfectly authenticated serious cases were found to have occurred during 1909, and references were found to 3 more. Moreover, he discovered records of more than 100 cases within a very short time, notwithstanding the claims made by some of the match manufacturers that this disease had not existed in a serious form for 20 years in this country.

Dr. Andrews further reports as follows:

> In one small factory records were secured of more than 20 serious cases during the past 30 years, many of them requiring the removal of an entire jaw. This factory has been under its present ownership since 1892. In one of the most modern establishments, owned by the same company since 1880, records of 40 cases of phosphorus poisoning were secured. Of this number 15 resulted in permanent deformity through the loss of one or both jaws, and several cases resulted in death. * * * In another factory the records of 21 cases were secured, 6 of which were in the year 1909.

The detailed investigation in 15 out of the 16 factories doing business in the United States showed that 65 per cent of the employees were working under conditions which subjected them to the fumes of the phosphorus and the danger of phosphorus poisoning and that the women and children were much more exposed than the men, 95 per cent of the women and 83 per cent of the children under 16 years of age being so exposed.

The number of cases disclosed by this investigation, while very impressive, is not so impressive as the loathsome character of the disease itself. It results from the breathing of the phosphorus fumes in the mixing, dipping, drying, and packing rooms of the factories and from contact with the phosphorus itself, particles becoming attached to the hands and later being transferred to the mouth.

> One of the general effects most frequently noticed in the cases of chronic phosphorus poisoning is anemia and a lowering of vitality. The peculiar local form, however, of phosphorus necrosis is caused by the absorption of the phosphorus through the teeth or gums, minute particles of the poison entering usually through the cavities of decayed teeth, setting up inflammation which, if not quickly arrested, extends along the jaw, killing the teeth and bones.
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> The gums become swollen and purple, the teeth loosen and drop out, and the jawbones slowly decompose and pass away in the form of nauseating pus, which sometimes breaks through the neck in the form of an abscess or, if not almost continually washed out, oozes into the mouth, where it mixes with the saliva and is swallowed.

When once this disease is established a surgical operation is often the only means of arresting the process of decay. In many instances it has been found necessary to remove the entire jaw, and in several cases both jaws have been removed at a single operation.

The evil effects of the use of phosphorus in the manufacture of matches was discovered in Europe shortly after the invention of the phosphorus match. For a time some of the European countries sought to lessen this disease or to wholly eradicate it through regulation. This regulation consisted in the

rigid inspection of the factories, thorough sanitation, thorough ventilation, and other means of making the workrooms sanitary, the enforcement of rigid rules as to hours of labor, cleanliness, and inspection of the teeth of the employees by competent experts. Notwithstanding such regulation, however, this terrible disease continued to prevail, although in somewhat lessened degree. As a result of these rigid requirements and the increased cost to the manufacturer resulting from their enforcement, many small establishments were wiped out, and because of the complaints from small manufacturers some of the Governments, like Switzerland, abandoned regulation and finally resorted to the prohibition of the use of the poisonous phosphorus.

In 1872 Finland prohibited the use of white phosphorus in her match factories. Denmark followed in 1874. In these countries no case of phosphorus necrosis has been discovered in the last 35 years.

In France the matchmaking business is in the hands of the Government. As it reimburses its own employees injured in its service and the cost for reimbursement resulting from phosphorus poisoning became a series charge on its treasury it appointed a commission to find an innocuous substitute. As a result the sesquisulphide of phosphorus was discovered, and shortly thereafter, in 1897, France prohibited the use of white phosphorus.

Switzerland decided on prohibition in 1898; the Netherlands in 1901. In 1906 the International Association for Labor Legislation secured an international convention at Berne, Switzerland, which resulted in an international treaty, providing for the "absolute prohibition of the manufacture, importation, or sale of matches made from white phosphorus." This treaty was signed by France, Denmark, Luxemburg, Italy, Switzerland, the Netherlands, and Germany.

In December, 1908, after a most rigid test by way of regulation, England came to the conclusion that the only way to eradicate the disease was through prohibition, and passed an act which became effective January 1, 1910, and joined the other countries in signing the Berne treaty.

Section 1 of the British act is as follows:

> It shall not be lawful for any person to use white phosphorus in the manufacture of matches, and any factory in which white phorphorus is so used shall be deemed to be a factory not kept in conformity with the factory and workshop act, 1901, and that act shall apply accordingly.

Sweden does not permit the use of the poisonous matches at home, but allows their manufacture for export to other countries, including the United States.

Russia has attempted to eradicate the disease by taxing matches made out of white phosphorus. She has so far succeeded that in 1906 only 1 out of every 50 matches manufactured within her domains contained the poisonous phosphorus.

In addition to the countries already mentioned, Austria and Spain have prohibited the use of white phosphorus, while Australia has prohibited the importation of matches made of this material.

On November 24, 1910, a bill was introduced in the Canadian House of Commons framed along the lines of the British act. Section 3 of this proposed act is as follows:

> It shall not be lawful for any person to use white phosphorus in the manufacture of matches.

Section 4 prohibits the importation into Canada of matches made of this material.

It will thus be seen that practically every civilized country, with the exception of Japan, Belgium, and Hungary, which have laws strictly regulating the operation of match factories, and the United States, have prohibited the use of this dangerous poison.

Not a single State has passed laws prohibiting its use, only the State of Ohio restricting the employment of children in match factories. Three other States—New York, Pennsylvania, and Oklahoma—have endeavored to prevent employers from using children of tender years in match manufacturing, but such legislation affords no protection to older employees.

In the matter of protecting the health of employees in match factories, the United States holds the unenviable position of being the leading civilized nation of the world which does not prohibit either the exportation or importation or the manufacture for domestic use of white phosphorus matches. The necessity for such legislation from the data thus far furnished being manifest, the question arises how best to meet this evil and eradicate it.

Several methods of procedure and lines of relief have been proposed, namely: (1) Through State regulation or prohibition; (2) through the treaty-making power of the Federal Government; (3) through the power granted by the commerce clause of the Federal Constitution; (4) through the taxing power under the Constitution.

A brief discussion of each of these plans or methods may be of interest:

First. Owing to the ever-increasing interstate character of modern business, State regulation or prohibition will be wholly ineffective. If one State sought to control the match-making industry by rigid and suppressive limitations, necessitating inspection, sanitation, and medical attendance, the factories of such State would be unable to meet the competition of manufacturers of other States who are not subjected to such control, nor could such State prohibit the introduction of poisonous matches within its borders which had been manufactured in other States, the same being at the time an article of interstate commerce.

If such State method of regulation sought to prohibit the manufacture of matches made out of white or yellow phosphorus, it would drive the match-making industry beyond its borders, as the manufacturer, being compelled to use an innocuous but more expensive substitute, would again be unable to meet the competition of outside manufacturers. In either event, the State would by its own act lose an industry. Moreover, the task of securing such regulation of this industry in all the States of the Union would be almost insurmountable. There would be no assurance that there would be uniformity in such legislation. Every State would fix its own standards and its own requirements, and there would be every degree of enforcement of these several State laws. It would be exceedingly difficult and burdensome for the manufacturers doing an extensive interstate business to comply with the varying provisions of the enactments of the several States. There would be the same necessity for the uniformity of standards and requirements in this matter, as was found to be necessary when Congress enacted the pure foods and drugs act. Even though the manufacturers may be prohibited from the manufacture of poisonous matches for sale within the State, this prohibition of the State would not extend to matches manufactured by them, but sold for interstate shipments. From every aspect, therefore, State regulation or prohibition would bring chaos to the match-making industry and would eventually prove burdensome if not ineffectual.

Second. Nor would it be possible through the treaty-making power to prohibit the manufacture of matches within the several States. The treaty-making power could only extend to the prohibition of the importation and exportation of matches made out of white or yellow phosphorus. In other words, it could only extend to commercial relations between ourselves and foreign countries.

As the United States has not as yet signed the Berne treaty and as no law has as yet been passed by Congress prohibiting the importation of white phosphorus matches, American citizens are helpless as against such importation. It must be stated, however, that few such matches are now imported, the great majority being safety matches made with the use of a nonpoisonous substance. As the United States exported in 1908 only $68,000 worth of matches of domestic make, prohibition of exportation would not be a serious restraint of our match-making industry.

As stated in the excellent brief of Miles M. Dawson, counsel for the American Association for Labor Legislation, filed with the Committee on Ways and Means—

> The Government may enter into a treaty to prohibit the exportation or the importation of matches manufactured with poisonous phosphorus, but to attempt to prohibit their manufacture within a State, for sale therein, would be to invade the internal police of the States under the form of a treaty, but without any connection with international relations. The Federal Government may by treaty confer rights on foreigners, but can scarcely enter into stipulations, the only effect of which would be upon its own citizens, not in any relation to the foreign government, but wholly in their relation to one another.

Third. Can white or yellow phosphorus in the match-making industry be effectually prohibited under the commerce clause of the Constitution? I do not believe that any law which Congress could enact under such a warrant would be effective. I have no doubt of the power of Congress to pass a law prohibiting the transportation in interstate commerce of matches made of white or yellow phosphorus. The pure foods and drugs act, the vaccine act, and other similar legislation might be cited in support of such proposed legislation.

Such legislation could not prevent the manufacture of matches for sale within a State, and as many of our States afford ample markets for the output of any single factory, its total output, if confined to its own State, would be wholly beyond the reach of an act of Congress.

Fourth. The only recourse, therefore, providing the effectual remedy necessary is the taxing power as exercised by Congress under constitutional limitations.

Section 8 of Article I of the Constitution requires that "All duties, imposts, and excises shall be uniform throughout the United States," and section 9 of the same article provides that

no capitation or other direct tax shall be laid unless in proportion to the census or enumeration provided for in that instrument.

Subject to these two limitations and the prohibition as to exports, Congress can tax all taxable objects, even though such tax results in the destruction of an industry, for under the decision of Chief Justice Marshall, in the case of McCullough *v.* Maryland, "The power to tax involves the power to destroy." This power has been exercised by Congress in several independent instances, and the legislation has been upheld by the Supreme Court.

In the case of Hilton *v.* The United States, decided in 1796, a tax on carriages was held valid.

In Veazie Bank *v.* Fenno, decided in 1869, a prohibitive tax levied on the circulating notes of State banks was sustained, the court holding it a tax which "may very well be classed under the head of duties," and declaring:

> The power to tax may be exercised oppressively upon persons, but the responsibility of the legislature is not to the courts, but to the people by whom its members are elected.

In the case of McCrea *v.* United States, decided in 1904, the tax on oleomargarine colored in imitation of butter was upheld.

The imposition of a tax of 1 cent per 100 matches, as provided in the bill, would be prohibitive and would compel the use of an innocuous substitute such as the sesquisulphide of phosphorus.

After a thorough examination of these several forms of remedial legislation, I came to the conclusion that the last form would be the most effectual, and therefore, at the request of the American Association for Labor Legislation, I introduced on June 3 the first draft of a bill providing for such a tax.

This bill was drawn up by the above association. After much consideration and consultation with various departments of the Government, certain amendments were suggested so as to make the law workable, the final result being the introduction, on December 19, 1910, of House bill 30022, entitled "A bill to provide for a tax on white phosphorus, and for other purposes."

Upon this bill elaborate hearings were had before the House Committee on Ways and Means, but no final action was taken at this session.

As a result of the investigation made by Dr. Andrews and published in the bulletin of the Bureau of Labor, and the publicity given to this report throughout the country, and the agitation which such publicity aroused and the new agitation following the introduction of the bill last June, the President became so deeply interested as to the necessity of legislation by Congress to put an end to the baneful effects of the use of the poisonous phosphorus in the manufacture of matches, that in his annual message to Congress last December he made a recommendation in the following words:

> I invite attention to the very serious injury caused to all those who are engaged in the manufacture of phosphorus matches. The diseases incident to this are frightful, and as matches can be made from other materials entirely innocuous, I believe that the injurious manufacture could be discouraged and ought to be discouraged by the imposition of a heavy Federal tax. I recommend the adoption of this method of stamping out a very serious abuse.

Notwithstanding the widespread interest manifested on this subject and appeals that came to Congress from thousands of citizens, civic bodies, and State legislatures, the Committee on Ways and Means did not believe that it was in such full possession of all the facts as to warrant final action on the bill last introduced by me.

In lieu of reporting this bill to the House with a favorable recommendation, the committee on February 21 reported a joint resolution authorizing the President to appoint a competent person to investigate the manufacture of white phosphorus matches and report at the next regular session of Congress.

The scope of such investigation is contained in these words:

> First. Present conditions of manufacture as affecting the health of employees.
>
> Second. What, if any, substitutes for white phosphorus can be found by which the dangers can be minimized in the manufacture, distribution, and use of matches.
>
> Third. Whether these substitutes are free from patent control and secret formulas for manufacture and open and unrestricted to general use, and not of excessive cost as compared with the matches now produced.
>
> Fourth. Complete and detailed information as to the commercial conditions under which this industry is carried on, whether controlled by any combination or trust, and whether the sale of the product is in any way restricted or regulated by the producers, beyond the point of free and reasonable competition in trade, and whether the proposed prohibition of the use of white phosphorus in the manufacture of matches would tend toward a monopoly of what has become a necessity of life.
>
> SEC. 2. That the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, for the purpose of this inquiry and investigation.

This resolution, after debate on the floor, was adopted without amendment on February 27, and was sent over to the Senate, where it was amended by striking out practically all of its provisions and substituting one confining the investigation to this single inquiry, "Whether or not white phosphorus matches were fit subjects for interstate commerce."

The House refused to concur in the Senate amendment, and asked for a conference. The conferees met, but failed to agree, and so the resolution failed of passage. This leaves the entire subject to be revived in the Sixty-second Congress, but the discussion of the bill, and the publicity given to the same, and the widespread demand which has come from every State of the Union for this legislation have assured me that Congress will not long defer favorable action thereon. Even though both the bill and the resolution failed, some good has already come as a result of their consideration.

Shortly after the introduction of the first bill in June, 1910, the Diamond Match Co., an alleged trust, producing over 66 per cent of all the matches manufactured in the United States, felt that legislation either by the several States or by Congress was inevitable. It therefore went on record as favoring Federal as against State legislation, and made overtures to the various independent manufacturers of the country looking to an agreement whereby they—both trust and independents—should discontinue the use of the white and yellow phosphorus and substitute the sesquisulphide form of phosphorus, this being considered the most innocuous and at the same time most practical.

As the Diamond Match Co. had, however, purchased of the French Republic about 12 years ago the sesquisulphide patent, it controlled its use in the United States, and therefore had an advantage over the independent manufacturers. If the bill as originally introduced had passed and the Diamond Match Co. retained its patent rights, it would have strengthened its hold upon the match-making industry, not merely on account of its larger output, but because of its ownership of this patent, and on this account the independents protested against its enactment.

The Diamond Match Co. thereupon voluntarily agreed, in writing, to grant to the several independents the license to use the sesquisulphide process on an equal footing with itself upon certain conditions.

These conditions were as follows:

> The Diamond Match Co. proposes to license manufacturers upon these terms: They will be compelled to pay to the Diamond Co. a proportion of the $100,000 which the Diamond Co. claims to have paid for the patent right in the United States; and in event of the licensee increasing its output beyond that of the year ending June 30, 1910, it is compelled to pay the Diamond Co. a royalty amounting to four-tenths of 1 per cent per 1,000 matches, or about 26 cents per case.

These conditions were accepted by several of the independent manufacturers, but others protested on the ground that the proposed royalty would absolutely prevent any increase in output for their concerns, and would absolutely prevent engaging in the business on the part of any new enterprise. Because of these protests, the Diamond Match Co. subsequently modified this license agreement by cutting out all these limitations, thus seemingly removing all obstacles, save that of permitting new manufacturers on equal terms with those already engaged in the business. To overcome this obstacle the Diamond Match Co., in writing, transferred its patent to a board of three trustees, consisting of Prof. Edwin R. A. Seligman, of New York; Hon. Charles P. Neill, Commissioner of Labor; and Hon. Jackson H. Ralston, of Washington, attorney for the American Federation of Labor. This transfer was made January 6 of this year. This board was given full power to grant licenses to all applicants on reasonable terms for the use of the sesquisulphide of phosphorus.

This action on the part of the Match Trust relieved it of any charge that the enactment of my bill would be of interest to it in promoting its monopoly. In further refutation of this charge it might be stated that by the terms of the bill, it would not become effective until June 1, 1912, and the sesquisulphide patent expires in 1915.

Notwithstanding this transfer of all its rights under its patent of the Diamond Match Co. to this board of trustees, insistent and persistent objections continued to be made against the passage of the bill on the ground that its passage would create a monopoly.

In a letter addressed by this board to President Taft on January 24, 1911, it urged the President—

> * * * to inquire as to the advisability of requesting the Diamond Match Co. and its licensees, in the interest of this humane legislation, to cancel the patent, and thereby grant its free use to all other American match manufacturers. Such a step would, we believe, result in removing the already groundless suspicion of monopoly and, as a consequence, force the opponents of the measure to disclose the actual grounds of their opposition.

In response to this suggestion President Taft, on January 26, replied as follows:

My great anxiety to see American labor protected from the ravages of a wholly unnecessary and loathsome disease to the same extent that foreign countries, including Great Britain, have protected their working people in match factories prompts me to believe that everybody would, of course, be glad to see the owner of the patent and its licensees take the public-spirited action of canceling the patent for the use of sesquisulphide in order that this harmless substitute may be gratuitously used by all other American match manufacturers, for it ought to have the effect of dispelling any fear that the enactment of this legislation would result in a monopoly in the match industry.

In response to this intimation to cancel its patent, the Diamond Match Co. and this board of trustees on January 28 of this year filed with the Commissioner of Patents a certificate declaring the surrender of said letters patent for cancellation and formally abandoning and dedicating the invention to the public of the United States of America forever.

This generous and unheard-of action on the part of the Diamond Match Trust absolutely removed the last ground of objection to the bill so far as the independent manufacturers or those contemplating entering the matchmaking industry were concerned, and there can be left but one legitimate argument against its passage, and that is the argument that it seeks to destroy an industry by the exercise of the taxing power.

In view of the humanitarian purpose of the bill and the improbability that its enactment would be considered as a precedent and the conclusive fact that like legislation for a similar purpose has previously been enacted and the overwhelming demand that it be enacted, no reasonable excuse can now be given for further delay.

As indicative of the interest manifested by the press of the country I herewith attach editorials from prominent newspapers in all sections of the United States.

There is another phase of this legislation which has greatly interested a class of people wholly distinct from the match manufacturers or their employees. This class consists of the insurance companies and their policy holders, who see in the enactment of this legislation, which will require the substitution for the dangerous and deadly parlor match of a safe substitute. As indicating the interest shown by the insurers of life and property I have added two letters, both addressed to Hon. J. HAMPTON MOORE, a Member of the House from Pennsylvania, one from Louis W. Amonson, president of the People's National Fire Insurance Co., of Philadelphia, Pa, the other from Clarence E. Porter, president of the Spring Garden Insurance Co., also of Philadelphia.

There is also added an article from Insurance Statistics, showing casualties resulting from matches in the State of Massachusetts.

[Journal, Topeka, Kans., Dec. 15, 1910.]

MAKE ALL MATCHES "SAFETIES."

"Of the 250,000,000,000 matches used yearly in this country—more than seven a day for every man, woman, and child—four-fifths are of a type that practically every nation of commercial importance prohibits," says the Survey. "For the head of the ordinary 'double dip' parlor match, the tiny round tip, is made of a poison worse than deadly to many of the workers in match factories. Stealing insidiously through a tiny crack in a tooth, it rots the tooth, rots the jawbone, requires mutilating operations, and sometimes results in death after lingering years of suffering. The dead bone, imbedded in living flesh, discharges its foul remains through cheek and mouth. Phosphorus necrosis, commonly called 'phoss jaw,' in matchmakers is so terrible that it might be considered good reason for returning to the flint and steel of our forebears if there were no other way of making fire.

"But there is a harmless substitute, sesquisulphide of phosphorus, for the poisonous white phosphorus. It is to our disgrace that the United States has lagged behind other lands in demanding its use. The indifferent of big business, the tariff, internal-revenue taxes, a 'trust' smothering the harmless but more expensive material, a lack of public information on the subject, and the voiceless obscurity of the match workers have all been factors in our tardy beginning last year to wipe out this unnecessary industrial disease by the Esch bill in Congress."

[Survey, New York City, Jan. 7, 1911.]

TERMS OF LICENSE FOR HARMLESS PHOSPHORUS.

The instinct to "fear the Greeks even bearing gifts" has made many wonder if the Esch bill in Congress to prohibit poisonous phosphorus in matches would not establish a monopoly, since the largest company favors this measure and has patent rights to the most widely used nonpoisonous substitute for white phosphorus. The Diamond Match Co. drew up licenses upon fair, if not generous, terms to govern the use of sesquisulphide of phosphorus by other manufacturers. Eight companies accepted the conditions and have paid in whole or in part their share of the cost of the patent protecting this nonpoisonous composition.

Although each licensee was allowed to produce an unlimited quantity of matches or to use any other form of nonpoisonous phosphorus, of which there are several, some have feared that all the agitation against white phosphorus was but a scheme to place the small independent companies at the mercy of a trust which owns the patent for sesquisulphide. To make this suspicion impossible the president of the Diamond Match Co., in a letter to Representative ESCH, the author of the bill, calls attention to some changes which have been made voluntarily in the licenses already issued. A royalty of four-tenths of a cent for the use of sesquisulphide for every thousand matches beyond the quantity which a company was entitled to make, on the basis of its percentage of the number manufactured for the year ending June 30, 1910, has been remitted, and all restrictions as to the number to be contained in a box waived.

As the president says in his letter, however, "there still remains the problem of how we can best formulate a proposition in respect to granting licenses in the future" to existing manufacturers, or to any other companies that later on may desire permits. He offers to assign the patent in trust to any department or bureau of the Federal Government or to any official of any department and his successor in office, in order that "licenses may be granted on such terms as may appear in the discretion of such department, bureau, or individual equitable and fair." If no department, bureau, or official will accept such an assignment the company offers to execute it in favor of any corporation, association, or individual who can give reasonable assurance of prompt and just treatment of applications for licenses.

The cause of this remarkable offer is said to be the fear of the manufacturers that if Federal legislation is not passed the agitation about the dangers to the workers in the trade will result in State legislation, which will not be uniform throughout the country. In fact a law to prohibit the use of poisonous phosphorus has already been recommended in New York by a high State official.

[Constitution, Atlanta, Ga., Jan. 15, 1911.]

MAKING ALL MATCHES SAFETIES NOT A PLOT OF THE TRUSTS.

Is the Esch bill to prohibit poisonous phosphorus in matches, which is now pending in Congress, a machiavellan scheme to place the small and struggling independent companies in the grasp of a trust notorious in the past for merciless practices? The instinct to "fear the Greeks even bearing gifts" has naturally caused many to look for a sinister connection between the ownership of the patent for the most widely used substitute for white phosphorus by the Diamond Match Co. and its hearty support of the proposed legislation for the protection of match workers.

Eight companies have already contracted for the use of sesquisulphide of phosphorus under terms that allow them to produce an unlimited number of matches and to employ any other form of nonpoisonous phosphorus, of which there are several. But to make all suspicion impossible the Diamond Match Co. has voluntarily remitted a royalty of four-tenths of a cent granted by these contracts for the use of sesquisulphide for every thousand matches beyond the amount which a company was entitled to make on the basis of its percentage of the number manufactured for the year ending June 30, 1910.

As the president says in his letter, however, "there still remains the problem of how we can best formulate a proposition in respect to granting licenses in the future" to existing manufacturers or to any other companies that may later on desire to acquire permits. He offers to assign the patent in trust to any department or bureau of the Federal Government or to any official of any department and his successor in office in order that "licenses may be granted on such terms as may appear in the discretion of such department, bureau, or individual equitable and fair." If no department, bureau, or official will accept such an assignment, the company offers to execute it in favor of any corporation, association, or individual who can give reasonable assurance that applications for licenses will be promptly and justly treated.

The cause that explains this remarkable offer is the fear of the manufacturers that if Federal legislation is not passed the agitation about the dangers in the trade to the workers will result in State legislation that will differ throughout the country and cause unnecessary inconvenience to the business. In fact, such action has already been recommended in New York by a State official. When such an evidence of good faith is given there is no excuse for failure to follow the example of all the other countries of commercial importance by prohibiting the use of a needless and terrible poison in the manufacture of matches.

[People, New York City, Jan. 21, 1911.]

PARTIAL VICTORY AGAINST "PHOSSY JAW."

The Diamond Match Co., commonly known as the Match Trust, has been forced to turn its patent for the most available substitute for poisonous phosphorus in the manufacture of matches over to the three trustees appointed by the American Association for Labor Legislation, which has carried on a campaign for the elimination of the loathsome occupational disease known as "phossy jaw." This step puts an end to all fear that the Match Trust will take advantage of a health campaign to complete its monopoly of the match business.

"Phossy jaw," which threatens 65 per cent of all match-factory workers, will be wiped off the list of occupational disease in America if the Esch phosphorus bill passes in congress. Last year the Labor Legislation Association conducted an investigation, in cooperation with the United States Bureau of Labor, the result being published by the Government in Bulletin No. 86.

Many match manufacturers at first claimed that "phossy jaw" did not exist in America, but they soon admitted that it did. Some of them got busy and started to clean up their factories. But no amount of care in handling the poisonous phosphorus can make the work safe. Safety lies only in the complete prohibition of its use. In June of last year ESCH introduced into Congress a bill providing for a prohibitive Federal tax on white phosphorus.

There are several harmless substitutes for white phosphorus, the best and cheapest being sesquisulphide; but the Diamond Co. owned the patent on sesquisulphide. The association then compelled the Diamond Co. to hand over the patent to three trustees, who have complete control of granting its use to future applicants.

The three trustees are Jackson Ralston, counsel for the American Federation of Labor; Commissioner Neill, of the United States Bureau of Labor; and Prof. Seligman, of Columbia University.

[Union, Springfield, Mass., Jan. 23, 1911.]

The reference in President Taft's recent message to the frightful nature of "phossy jaw," or phosphorus necrosis, a disease which attacks the workers in match factories, and his recommendation that legislation be enacted to prevent the use of the deadly white phosphorus that causes it, will probably have an important effect in expediting the passage of the bill introduced by Congressman JOHN ESCH, which provides for a prohibitive tax on white phosphorus. The use of this poisonous substance is already prohibited in nearly all the European countries, the campaign against it inaugurated in Finland and Denmark having been taken up by Switzerland, France, Italy, the Netherlands, Germany, and Great Britain. White phosphorus is used on four-fifths of the matches sold in the United States, and a recent investigation of the match factories in this country conducted by agents of the United States Bureau of Labor brought to light 16 cases of the terrible necrosis among employees in 15 factories, while 82 cases were discovered in the homes of the working people of three factories, and

records of 40 cases were secured in one modern factory. This insidious disease, caused by the fumes of the wet phosphorus, rots the teeth and jawbone, requires mutilating operations, and often results in death after a long and painful illness. There are several harmless substitutes for the phosphorus, one of which, said to be the cheapest and best, is sesquisulphid, which is controlled by one of the largest match-manufacturing concerns. This company, it is announced, has been compelled to turn over its patent on this substance to three trustees appointed by the American Association for Labor Legislation, who will have full power to grant its use to future applicants. These trustees are Jackson Ralston, counsel for the American Federation of Labor; Commissioner Neill, of the Bureau of Labor; and Prof. Seligman, of Columbia University. With the passage of the Esch bill, taxing white phosphorus out of existence, this substitute will be available for all match manufacturers, and there is every prospect of the wiping out of a fearful industrial disease.

[Free Press, Milwaukee, Wis., Jan. 27, 1911.]

A BILL THAT SHOULD PASS.

It would seem that the one legitimate obstacle to the passage of the Esch bill, which aims at the elimination of poisonous phosphorus from the manufacture of matches, has been overcome.

It will be remembered that the Diamond Match Co., or so-called Match Trust, owns the patent rights to the use of sesquisulphid of phosphorus—the harmless kind. In consequence, it was feared by the independent match manufacturers that legislation hostile to the use of the common white phosphorus would tend to make the trust an actual monopoly because of its control of the harmless article.

This objection has now been robbed of its force by the action of the much worried Diamond Match Co., which has assigned its patent rights to a board of trustees that is given absolute power to fix the terms which it thinks are fair under which every match manufacturer will be able to secure the right to use the nonpoisonous substitute for white phosphorus.

The board of trustees consists of Prof. Edwin Seligman, of Columbia University; Charles P. Neill, United States Commissioner of Labor; and Jackson Ralston, an attorney for the American Federation of Labor.

"Their names," comments the Survey, "are a guaranty that all will receive fair treatment and no one will be so suspicious as to charge them with being under the domination of the Match Trust."

The action of the trust in transferring the legal title of its patent must be considered a great victory for the investigations made by the United States Bureau of Labor at the instance of the American Association for Labor Legislation.

These investigations drew a picture of the ravages of phosphorus necrosis among the workers in American match factories that rivaled the horrors of Dante's Inferno. This disease, which is caused by the phosphorus, affects the jaws of the victim and consists of the wholesale mortification of the bones. It is loathsome, disfiguring, and eventually deadly.

The worst part of the terrible indictment lodged against the employers who subjected young human beings to this peril was that the harmless substitute for white phosphorus was at their command, but for financial reasons remained unused.

It will be remembered that President Taft in a recent message strongly urged legislation against this inhuman evil, and the Esch bill, which should now be passed without delay, is a fruit of that recommendation.

[Tribune, Chicago, Ill., Jan. 29, 1911.]

AN INCIDENT IN SOCIAL REFORM.

The Esch bill to prohibit the use of white phosphorus in the manufacture of matches is one of the social measures which Congress should find time to pass at the present session.

White phosphorus is a poison to workers in the match industry, causing necrosis. The Diamond Match Co. some time ago instituted research to find a safe substitute, and the search was successful. But the discovery was a monopoly of this so-called trust, and it was urged against prohibitory legislation that the competitors of the trust would be put to a serious disadvantage by it.

Then the Diamond Match Co. waived its monopoly—an act of humanitarianism which might very well place it among the "good trusts," if it be a "trust"—and with this waiver disappears whatever reason there was for opposition. The independent manufacturers, in fact, have so announced and approved the Esch bill.

The situation is gratifying as an evidence of the growing sense of social responsibility for the conditions of workers. It should be rounded out by the legislative action sought.

[Tribune, New York City, Jan. 30, 1911.]

A HUMANE ACTION.

The Diamond Match Co. has done an unusually public-spirited thing in causing to be canceled the patent held by it upon a harmless substitute for white phosphorus. This leaves independent manufacturers free to employ the substance in the making of matches and removes the only serious obstacle to the passage of the Esch bill prohibiting the use of white phosphorus in the industry. White phosphorus causes necrosis among the workers engaged in its use. Considerations of humanity caused the introduction of the Esch bill, influenced President Taft to interest himself in its passage to the extent of urging the owner of the patent on sesquisulphide of phosphorus to have it canceled, and led the so-called Match Trust to facilitate the passage of the bill by sacrificing what might have been made a monopoly for the next three years.

Throughout the negotiations leading up to this cancellation the Diamond Match Co. appears to have maintained a more than ordinarily reasonable and public-spirited attitude. When its patent was first declared to stand in the way of prohibiting the use of white phosphorus, it put the patent into the hands of trustees, providing that they should make fair terms upon which any manufacturer might employ the patented article in matchmaking. This concession not having been regarded as sufficient, the company surrendered the patent. The action will be worth more to the company in "good will" on the part of the public than the remaining value of the patent, but that does not detract in the least from its commendable quality.

[Tribune, La Crosse, Wis., Jan. 30, 1911.]

ESCH BILL VINDICATED.

"The Esch bill to prohibit the use of white phosphorus in the manufacture of matches," says the Chicago Tribune, "is one of the social measures which Congress should find time to pass at the present session.

"White phosphorus is a poison to workers in the match industry, causing necrosis. The Diamond Match Co. some time ago instituted research to find a safe substitute, and the search was successful. But the discovery was a monopoly of this so-called trust, and it was urged against prohibitory legislation that the competitors of the trust would be put to a serious disadvantage by it.

"Then the Diamond Match Co. waived its monopoly—an act of humanitarianism which might very well place it among the 'good trusts' if it be a 'trust'—and with this waiver disappears whatever reason there was for opposition. The independent manufacturers, in fact, have so announced and approved the Esch bill.

"The situation is gratifying as an evidence of the growing sense of social responsibility for the conditions of workers. It should be rounded out by the legislative action sought."

When the Esch bill first came into the limelight, certain badly advised critics arose to suggest that it was aimed, not to protect working men, but to compel the use of the Match Trust's patent. Even in his own district Mr. ESCH did not escape the gibes of I-told-you-so gentlemen whose skepticism has made them willingly adverse commentators upon his activities, and in whose view the humane feature of the proposed law was but a cover for a sinister purpose. However, if there now remains a vestige of that unkind suspicion, it must yield to the word of La Follette's Magazine, most trustworthy of all progressive publications, which in its current issue said:

"As a sequel to the story told in La Follette's last week about the dreadful effects of phosphorus poisoning in the match industry and the efforts now being made to prevent it by law, comes the information that the objection most strenuously urged against such legislation has been silenced. This was the objection that the passage of a law abolishing the use of poisonous phosphorus in the making of matches would promote a monopoly in the manufacture of matches from the non-poisonous sesquisulphide. The use of this harmless substance is covered by a patent. The patent is owned by the Diamond Match Co. Forbidden the use of phosphorus, other manufacturers would have to get permission from the owners of the patent before they could change to the sesquisulphide process. It was important to secure complete assurance from the Diamond Match Co. that future applicants for patent rights would be treated fairly. As early as last June the officers of the American Association for Labor Legislation succeeded in convincing the managers of the Diamond Match Co. that they ought, in the interests of humanity, to throw the patent open. This has finally been done. On January 6 the patent was turned over to three trustees, who are given the power to grant its use upon 'such terms' as the trustees 'shall deem just.' The trustees are Prof. E. R. A. Seligman, of Columbia University; Jackson Ralston, counsel for the American Federation of Labor, and United States Commissioner of Labor Charles P. Neill. These names are a strong guarantee of just dealing. The Association of Labor Legislation is to be congratulated upon so successfully disposing of an objection that for a time threatened to block the way to speedy and complete abolition of phosphorus matches and the distressing 'phossy jaw.'"

[Standard Union, Brooklyn, N. Y., Jan. 30, 1911.]

A CORPORATION WITH A SOUL.

The voluntary surrender by the Diamond Match Co. of its patent rights, covering the manufacture and use of a substitute for white phosphorus so that rival companies can take advantage of the preparation is admittedly a very creditable act. This will end the employment of white phosphorus in match making in this country and consequently do away with the disease known as "phossy jaw" among factory workers.

The relinquishment of the patent rights was not an act of courtesy to competing companies, but a concession to the Government, which is anxious to pass a law prohibiting the use, as in the case in several European countries, of white phosphorus. If the Esch bill now before Congress were placed on the statute books and the Diamond Match Co. retained its right, the rival companies would have been seriously injured. For that reason the bill was not likely to pass. It would have given a virtual monopoly to one concern.

If not a trust, the Diamond Match Co. is a near approach to one. Those who hold that there are no good large corporations must admit that at least one has shown admirable qualities.

[Record, Philadelphia, Pa., Jan. 30, 1911.]

There was never a better use made of the Federal taxing powers than that proposed in the Esch bill to eliminate the health-destroying white phosphorus from the manufacture of matches. The Federal Government can not regulate production within the States, but the end in view would be accomplished by imposing a sufficient internal-revenue tax on white phosphorus matches to make their manufacture commercially impossible. This would be a perfectly constitutional exercise of Federal power, and it would accomplish a result that could otherwise be attained only by legislation in 46 separate States.

[Public Ledger, Philadelphia, Pa., Jan. 30, 1911.]

PROTECTION FOR MATCH WORKERS.

President Taft's recommendation in his annual message for the protection of workmen engaged in the manufacture of matches has borne immediate and interesting fruit. No action has yet been taken on the bill offered by Representative ESCH, of Wisconsin, placing a prohibitive tax upon all matches containing white phosphorus, but by the voluntary initiative of the Diamond Match Co. a situation has been created that opens the way for the passage of such a law free from the suspicion that it is designed to strengthen a monopoly. The making of matches is one of the most dangerous of modern industries, at least under the older methods of manufacture, when the workers were exposed to the fumes of phosphorus, and were almost certain to contract, sooner or later, a loathsome necrosis, or mortification of the bones.

When it was proposed that the United States should at last follow the enlightened lead of Europe in legislation for the restriction of the use of phosphorus and for the protection of the laborers, the assertion was made that the Diamond Match Co.—the corporation which dominates the match industry in this country—controlled patents on the only available substitute for the dangerous forms of phosphorus, and that the imposition of a tax upon all matches made without this substitute would be in effect playing directly into the hands of the monopoly.

This contention of the independent match manufacturers has been vehemently combated, but the Diamond Match Co., nevertheless, has relinquished, in the interest of the public, its patent upon the chemical in question. It is true that this patent has but a few years to run, and that the gift to the public and to humanity has thus but a limited

value, but the public-spirited dedication of the company's rights to the people at large has removed every legal obstacle to humane legislation in the interest of public safety and health.

[News, Rutland, Vt., Jan. 30, 1911.]

RENOUNCES A PATENT FOR HUMANITY'S SAKE.

The Match Trust is a trust that certainly has a soul.

Action was taken Saturday by the Diamond Match Co., the largest producer of matches in this country, which probably means the banishment from the match factories of one of the most serious of what are known as "occupational diseases." The Diamond Match Co., at the request of President Taft, has granted free use of its patent for a style of match that does not call for material poisonous to the workers. This action, it is believed, removes the last objection to the bill introduced in Congress by Representative ESCH, of Wisconsin, for the purpose of abolishing the manufacture of the present poisonous style of match.

The common "parlor match" that will strike anywhere contains white phosphorus, so called, to distinguish it from the red or nonpoisonous variety. The use of this substance in the match industry has been the cause of a form of poisoning among the workers, many of whom are women, that destroys the jawbone slowly. The only cure is to cut away the diseased bone, which often results in disfigurement.

Nearly every European country has done away with this horror of the match factory by prohibiting the use of white phosphorus and requiring that a harmless substitute be employed. Agitation having for its object similar action by this country was begun about a year ago, and this year the President, in his annual message, recommended that such action be taken.

A bill was introduced by Mr. ESCH imposing a sufficient internal-revenue tax upon white phosphorus matches to make their manufacture commercially impossible. This bill would probably have met with little opposition had the fact not developed that the patent for the most practicable form of nonpoisonous match was owned by the Diamond Match Co., or, as it is popularly known, the Match Trust.

The trust declared that it welcomed this reform, and as evidence of its good faith was willing to share the patent on equal terms with all who cared to make use of it, and subsequently entered into agreement with nearly all the independents, representing about 95 per cent of the output, by which these independents were licensed to use the patent.

[Times-Star, Cincinnati, Ohio, Feb. 1, 1911.]

IN THE CAUSE OF HUMANITY.

The urgent recommendation made in the President's annual message to Congress for the protection of those engaged in the manufacture of matches has borne fruit more quickly than many of the most sanguine had dared to hope.

The bill offered by Representative ESCH, of Wisconsin, to prevent the use of the death-spreading white phosphorus by placing a prohibitive internal-revenue tax upon it has not yet been acted upon. But the one and only real objection made to it has been met by the action of the corporation popularly known as the Match Trust in surrendering its patent rights to the exclusive use of sesquisulphide, the only substitute for white phosphorus now known. It was the contention of the independent match companies that prohibiting the use of white phosphorus would result in giving the Match Trust a monopoly. Of course this argument now falls to the ground.

It now seems reasonably certain that the day has arrived for the complete reform of an industry that has claimed many victims and in which a frightful death is the almost sure reward of steady employment. It is a great step forward in the cause of humanity.

[States, New Orleans, La., Feb. 2, 1911.]

PROTECTING THE MATCH WORKERS.

In line with President Taft's recommendation in his annual message for the protection of workmen engaged in the manufacture of matches, Representative ESCH, of Wisconsin, introduced in Congress a bill placing a prohibitive duty upon all matches containing white phosphorus. No action has been taken by the House on the measure, but it has borne fruit in the voluntary action of the Diamond Match Co., known as the Match Trust, which opens the way for the passage of such a law which will be free from the suspicion that it is designed to promote the interests of a monopoly.

Under the older methods of manufacture it is known that the making of matches is a very dangerous industry because the workmen are exposed to the fumes of phosphorus, and in the course of time they contract necrosis, a disease that causes a loathsome mortification of the bones. Some years ago prominent humanitarians urged the United States to follow the example of England in legislation restricting the use of phosphorus and for the protection of the match workers, but at the time it was asserted that the Match Trust, which dominates the industry in this country, controlled patents on the only substitute for the dangerous forms of phosphorus, and the imposition of a tax upon all matches made without this substitute would greatly strengthen a monopoly.

This was the contention of the independent match manufacturers, which was combated by the Diamond Match Co.; but nevertheless that concern recently announced that it had relinquished in the interest of the public its patent upon the chemical substitute for phosphorus, and this generous action has removed all opposition to legislation such as Representative ESCH has proposed.

[Herald, Louisville, Ky., Feb. 13, 1911.]

FOR HUMAN LIFE.

A bill is now pending in Congress that has for its sole aim the protection of human life from a peril of industry that is increasing tremendously in the scope of its menace.

It is known as the Esch bill and aims to prohibit the white phosphorus match as an article of manufacture and sale by imposing a tax so heavy that it will make its continued production unprofitable.

The white phosphorus match is poisonous. The making of it is fraught with deadly danger, and its subsequent use is a constant cause of loss, both to life and property. The fearful disease of necrosis, commonly known among workers in match factories as "phossy jaw," is a direct result of the employment of this particular form of phosphorus. Few of those who engage in the making of these matches can hope to escape its painful and terrible ravages.

It is not a necessary evil. The safety match that the smoker buys for a penny a box and which ignites only on the prepared surface provided is free from this poisonous substance. The red phosphorus match is also unobjectionable. There would be no serious inconvenience to anybody by the abolition of this wicked industry.

Statistics show that the white phosphorus match is to be credited with a large proportion of the fires that result disastrously to property and life. Out of 3,875 fires last year in Chicago of which the cause is known 1,089 were started by matches. The hazard of the safety match and of those made with red phosphorus is much less than that resulting from the white phosphorus variety.

President Taft has expressed his approval of the Esch bill; it is indorsed by health departments, medical organizations, and labor unions. It is opposed by the manufacturers who make money at the cost of human life.

Recently the Canadian minister of labor introduced a Government bill in parliament framed to accomplish the same purpose as that of the Esch bill. We have not followed its fortunes, but the auspices under which it was given place on the order paper assures its enactment.

It is doubtful if the Esch bill will reach consideration at the present session. The pressure of other questions of greater political, if less human, concern may require postponement of action. But it ought to pass at the earliest opportunity. It is typical of a class of legislation of which there is going to be more as we realize more keenly our responsibility for safeguarding life and making existence easier and happier for the multitude.

[World, New York City, Feb. 19, 1911.]

Congress should not adjourn without passing the Esch bill prohibiting the use of poison phosphorus in matches. Since the Diamond Match Co., at the request of President Taft, placed the sesquisulphide patent in the hands of trustees for free general use there is no possible objection to the bill. The poison phosphorus not only gives "phossy jaw" to the workers, but it is dangerous in the home.

[Gazette, Green Bay, Wis., Feb. 22, 1911.]

FOR THE SAKE OF HUMANITY.

The Esch bill, which has been introduced in the United States House of Representatives, providing for the abolition of the use of poisonous phosphorus in the manufacture of matches, will, if passed, be the means of saving many lives and also intense suffering. Sixty-five per cent of all match workers are liable to contract the disease known as "phossy jaw," while 95 per cent of the women and 83 per cent of the children are so exposed, it is claimed. The list of the victims are growing monthly.

The disease is caused by the absorption of phosphorus through the teeth or gums. Inflammation is set up, which extends along the jaw, killing the teeth and bones. The gums become swollen and purple, the teeth loosen and drop out, and the jawbone finally becomes decomposed, which sometimes breaks through the neck, forming an abscess. In this manner an employee of any match factory where poisonous phosphorus is used is exposed. Not only are deaths caused in this manner, but it is commonly learned that children die as a result of eating the heads of matches. Some of the State legislatures in the United States have memorialized Congress to pass the bill as introduced in Congress, while others, it is reported, are to take a similar action.

It has been contended by opponents of the Esch bill that it is unconstitutional, since it attempts to protect the public health through the use of the taxing power of Congress. It is held by others, however, that if it is constitutional to levy a tax in the interests of an industry, as is done by the tariff system, and if it is constitutional to levy a tax on the circulating notes of State banks, then it is constitutional to levy a tax in the broader interests of public health and safety. It is almost assured that nothing will be done with this measure during this short session, but many associations and societies in the country are now earnestly at work in an effort to have it passed and enacted into a law.

[Times, New York City, Feb. 22, 1911.]

MR. ESCH'S "PHOSSY-JAW" BILL.

Now that the Diamond Match Co. has canceled its patent for making matches by the harmless sesquisulphide of phosphorus process, so that every match manufacturer can use this process free of cost, it becomes incumbent on Congress to tax out of existence what is in effect the murderous trade of making matches that inflicts on the factory workers the disease of "phossy jaw," so called, from the effects of the poisonous white and yellow phosphorus used

We have already called public attention to this terrible business. The only remedy for the agonizing disease of the jaws which the phosphorus causes when absorbed through teeth or gums is the cutting out of the diseased bone, often amounting to the entire jaw. President Taft has personally inquired into the conditions in the match factories; he recommends the passage of the Esch bill, laying heavy taxes on all factories that fail to use the harmless substitutes for the poisonous phosphorus as a "method of stamping out a very serious abuse." Besides its responsibility for "phossy jaw," the phosphorus is frequently a cause of death in little children, who suck off the heads of the matches in which it is an ingredient. Letters to Congressmen urging the passage of the Esch bill would be influential.

[Tribune, New York, Mar. 1, 1911.]

"PHOSSY JAW" OR PROFITS?

It is strange and discreditable that antiphosphorus legislation seems to be in danger of failing, and the worst feature of the case is the reason therefor. The evils of phosphorus poisoning are well known. The campaign in Great Britain against "matchmakers' necrosis," popularly called "phossy jaw," some years ago largely roused the world to a recognition of the inhumanity of the industry thus conducted and of the need of reform. Happily, methods of reform were not lacking. The evil is as needless as it is monstrous. Yet remedial or prohibitory legislation is thwarted over a mere question of pecuniary profits.

Now, if this legislation were thus blocked by some manufacturing concern which did not wish its profits interfered with, there would be a storm of indignation against the soulless corporation which sacrificed human health and lives to its greed. But in this case something like the reverse is true. That is to say, those who oppose this much-needed reform do so because they are afraid that it would result in larger profits for some corporation. They are not willing that good shall be done lest somebody profit from it. We really can not see that such opposition is more creditable, or less discreditable, than the other would be.

But there is no convincing proof that the reform would have the result of adding to anybody's profits. If it did, that would be no argument against it. Indeed, it might even be argued that a concern which had the enterprise and the humanity to adopt a harmless substitute for

the pernicious phosphorus was entitled to its reward. There is certainly no indication that any such advantage, if it existed, would work hardship to the public. If there were danger of that, we should still urge the reform, because it ought to be possible through other action to prevent such oppressive results. To argue that undoubted good should not be done because of a danger of possible evil is a counsel of impotence with which there should be no sympathy.

PEOPLE'S NATIONAL FIRE INSURANCE CO.,
Philadelphia, February 21, 1911.

Hon. J. HAMPTON MOORE,
Washington, D. C.

DEAR SIR: There is a bill pending before Congress at the present time prohibiting the use of white phosphorus in match manufacturing, because of the very serious injury caused to all who are engaged in the manufacture of matches. I find, however, on careful examination that this bill does not prohibit the interstate sale and transportation of the so-called "criminal match," namely, matches that ignite by being stepped upon, and I would strongly urge that the bill be amended accordingly before passage, to prohibit dangerous matches of all kinds.

The well-known safety match does not contain white phosphorus, is nonpoisonous, and as the ordinary friction matches are infinitely more destructive to life and property, it would be for the general welfare to make the prohibition include all matches that do not ordinarily require a prepared surface for ignition. Thousands of lives have been lost through the serious fires that have resulted from the use of the "criminal match," and a large proportion of all fires reported throughout the country, destructive to the property interests of the American Nation, arise from so-called "parlor matches." You have probably in your own experience known of some of the numerous cases where women have stepped on such matches and set themselves on fire. Children play with them, because they furnish attractive fireworks; rats and mice nibble them and set homes on fire; and an ordinary box of parlor matches can be ignited even by being thrown on the floor.

If fires originating from this cause were eliminated, it would save thousands of lives and reduce the cost of insurance to policy holders, as the enormous fire waste of the country is necessarily charged for in the established rates. State Fire Marshal Sullivan, of Louisiana, and State Fire Marshal Zueber, of Ohio, together with other State authorities and fire-insurance commissioners in various parts of the country have made recommendations for the enactment of such legislation, but the most effective way of preventing loss of life and property from this cause would be by amending the pending bill so as to prohibit matches of all kinds except "safety matches," after January 1, 1912. Is not the general public entitled to protection as well as the comparatively few employees of match factories?

Trusting that your sense of public spirit and interest in the general welfare will prompt you to demand an amendment of this kind, I remain,

Yours, very truly, LOUIS S. AMONSON, *President.*

THE SPRING GARDEN INSURANCE CO.,
Philadelphia, February 21, 1911.

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: As one of your constituents, we are writing to request you to use your vote and influence to secure the passage of the Esch bill, to prevent the further use of white phosphorus matches. We understand that this bill is intended to promote the public health by preventing the use of a dangerous material. We approve that motive, but beg to suggest an additional reason, in that the white phosphorus match is chiefly responsible for the thousands of fires started by matches each year in this country, and the hundreds of deaths and fatal burnings which result. We are informed that the kind of matches which will be available, if the white phosphorus match is prohibited, are very much less dangerous from the fire standpoint, and think that this feature should also be taken into consideration. The State fire marshals are beginning campaigns against the use of parlor matches, which they call "the criminal match," because of the number of deaths, accidents, and fires for which it is responsible. It is estimated that match fires cost the country $20,000,000 each year, in addition to the loss of life, which falls chiefly upon women whose skirts are ignited by matches catching fire underfoot, and children who are set on fire while playing with matches.

In the interest of public health and safety, to reduce the fire waste of the country, and thus to conserve its resources, we respectfully urge you to use your vote and influence in behalf of the Esch bill.

Faithfully yours, CLARENCE E. PORTER, *President.*

[Extracts from Insurance Statistics.]

THE MENACE OF THE MATCH—CARELESSNESS WITH MATCHES BRINGS FIRE AND DEATH.

The number of persons burned to death in the United States each year by the common poisonous phosphorus parlor match is between eight and nine hundred, and the property loss more than $2,000,000.

In Massachusetts last year there were 5,794 fires, 1,230 of which, entailing a loss of $658,346, were caused by matches.

Thirty-six women and children were burned to death in Ohio through having their clothing fired by matches. Of these, who suffered death in this, its most horrible form, 30 were children playing with matches left carelessly within their reach, and 6 were women whose clothing took fire from flying match heads. Among these are not included 5 mothers who were themselves burned to death while trying to save the lives of their burning children.

Mr. MANN. Mr. Speaker, the Bureau of Labor made an investigation of the use of white phosphorus in match factories, which was published, as the gentleman from Wisconsin [Mr. ESCH] states, in a bulletin a year ago, in January. The President of the United States, becoming interested in the matter and thinking the subject might be controlled under the commerce clause of the Constitution, turned the papers over to me as chairman of the Committee on Interstate and Foreign Commerce. That was before any bills were pending. With those papers was a letter from the Diamond Match Co., offering to give the use of the patent it owned to any independent company at that time. During last summer I carried on quite an extensive correspondence with the dentists throughout the country. The use of white phosphorus in matches, where there is a cavity in the tooth, causes the phosphorus to get into the tooth, and causes what is called a phossy jaw, which is a putrefaction or wearing away of the jaw. And the dentists are the ones who come in contact with it. So far as I can learn, while there was in many places the phossy jaw, as a rule it has been grossly exaggerated as to the number of people suffering from it throughout the United States.

However, I prepared a bill to regulate the subject by forbidding the transportation of these white phosphorus matches in interstate commerce. The gentleman from Wisconsin [Mr. ESCH] had a bill to tax them out of existence. That went before the Committee on Ways and Means, which had hearings on it. Our committee had no hearings on it, and it seems to me that with the little information which I could obtain through rather full correspondence with dentists throughout the country, and with the question involved as to whether this would in the end result to the benefit of the Diamond Match Co. and against the interests of the independent manufacturers, the resolution submitted by the Ways and Means Committee at this time is the very thing. We ought to have some real knowledge of the subject. The information that was acquired before can not be said to have been wholly disinterested. A gentleman, a competent man, but an enthusiast on one side of the question, made all the investigation that was made, and was thoroughly committed to the proposition that no one in this country ought to be permitted to use white or yellow phosphorus. On the other hand, it is claimed they can not make in this country matches under the Diamond Match or French patents successfully owing to climatic conditions. If that is so, we can ascertain by investigation. An investigation certainly may do good, and can do no harm.

Mr. COX of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. WILSON].

Mr. WILSON of Pennsylvania. Mr. Speaker, I do not think I will occupy that much time, but this resolution has grown out of a trade disease existing in the match-manufacturing industry, and that disease has become so pronounced that it is necessary that something should be done to prevent it. When an effort was made by the introduction of a bill by the gentleman from Wisconsin [Mr. ESCH] to regulate the manufacture of matches from white and yellow phosphorus, and hearings were held by the committee, immediately the question was raised as to whether this effort to regulate the manufacture of matches had for its basis the protection of the health of those engaged in its manufacture, or whether it had for its basis the protection of the Match Trust.

There were those who were independent manufacturers of matches who contended that under certain regulations and conditions the matches might be manufactured with a reasonable degree of health on the part of the workers, and that the movement was a movement to promote the interests of the Match Trust of this country. And so there grew opposition to the measure introduced by the gentleman from Wisconsin [Mr. ESCH]. There is still some doubt in the minds of those who have been giving attention to the subject. The matter has not been cleared up, and in my judgment this resolution ought to be adopted. We ought to get the actual facts in the case as to how much disease exists as the result of the use of white and yellow phosphorus, as to how much the passage of a resolution or a bill such as the gentleman from Wisconsin has introduced will affect the match industry, and whether or not it will tend to build up a monopoly in the trade. In other words, how far this industry can be conducted in a healthy condition without at the same time promoting the building up of a trust. In my judgment, this resolution ought to go through for the purpose of giving us information from sources that are not biased by their business interests, upon which we can build satisfactory future legislation.

Mr. COX of Indiana. Mr. Speaker, there is no one else desiring any time on this side of the House as far as I know.

Mr. GAINES. I would like to ask the gentleman to yield to me a moment for the purpose of asking unanimous consent to move an amendment.

Mr. DALZELL. I yield.

Mr. GAINES. I ask unanimous consent, Mr. Speaker, to amend, by inserting on page 2, of line 15, after the word "conditions," these words: "And costs in this and foreign countries."

Mr. COX of Indiana. I object, Mr. Speaker, to that.

The SPEAKER. Objection is heard. The question now is on the passage of the joint resolution.

The question was taken; and, two-thirds voting in the affirmative, the rules were suspended and the joint resolution was passed.

DEBT OF THE DISTRICT OF COLUMBIA, ETC.

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 13474) to provide for the pay-

ment of the debt of the District of Columbia and to provide for permanent improvements, and for other purposes, with committee amendments, which I send to the Clerk's desk and ask to have read.

The Clerk read the bill (H. R. 13474) to provide for the payment of the debt of the District of Columbia and to provide for permanent improvements, and for other purposes, with sundry amendments.

Mr. SMITH of Michigan. Mr. Speaker, I was first going to ask to have the bill read and then ask to have certain amendments read, but——

The SPEAKER. Other amendments than those reported?

Mr. SMITH of Michigan. Yes, sir.

Mr. TAWNEY. I suggest to the gentleman from Michigan that he withdraw that bill and offer another bill, and move to pass that other bill with the amendments that he is prepared to send up.

Mr. SMITH of Michigan. I will do that, Mr. Speaker. I can send up a bill which contains all but one amendment that I wish to offer, as suggested by the gentleman from Minnesota.

The SPEAKER. Is the gentleman from Michigan prepared to withdraw his motion and make another?

Mr. SMITH of Michigan. Yes, sir. I move to suspend the rules and pass the bill as sent now to the Clerk's desk, with one amendment, which I will send up in a moment.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the following bill, with an amendment. The Clerk will report the bill and amendment.

The Clerk read the bill (S. 3260) to provide for the payment of the debt of the District of Columbia, and to provide for permanent improvements, and for other purposes, with sundry amendments.

Mr. SIMS. Mr. Speaker, I demand a second.

The SPEAKER. Under the rule a second is ordered.

Mr. STAFFORD. Mr. Speaker, the amendment just reported by the Clerk did not state where it was to be inserted.

Mr. FITZGERALD. I ask unanimous consent that the bill be reported as it will read when the amendments are inserted.

The SPEAKER. The Clerk informs the Chair that that is the way it has just been read. The Chair is informed at the Clerk's desk that though this is numbered as a Senate bill it has not yet passed the Senate, or at least has not come to the House, but that the gentleman from Michigan is seeking to pass it as a House bill. Is that correct?

Mr. SMITH of Michigan. It is correct, and if I can have the attention of the House I think I can make my position entirely clear. But to save time, Mr. Speaker, I move to strike out all after the enacting clause in the House bill and insert what I have sent to the Clerk's desk. I desire to modify my motion so as to get before the House exactly what I want to do. The House bill which I sent to the Clerk's desk had these amendments exactly as in the Senate print. I do not want to mislead anybody in the House. Some Members seem to think that some of the amendments in the Senate print are not in the bill that I sent to the desk.

Mr. OLMSTED. I understand the gentleman's desire is to move to suspend the rules and pass the House bill in the form in which he has sent it up.

The SPEAKER. The Chair understands that it is the desire of the gentleman from Michigan to take the House bill, move to strike out all after the enacting clause and insert, and to suspend the rules and pass the bill as amended.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. What is it the gentleman is going to insert?

The SPEAKER. As the Chair understands it, the gentleman wants to pass the text of the bill introduced in the Senate.

Mr. CLARK of Missouri. Has the bill passed the Senate?

Mr. MANN. No; this is not a Senate bill.

The SPEAKER. The Chair will suggest to the gentleman from Michigan that, without further interrupting the business of the House at this time, this matter be postponed until to-morrow, so that we can find out what the motion is.

Mr. SMITH of Michigan. Mr. Speaker, I was about to ask, in view of the fact that so many Members want to see the bill reprinted, that we have a reprint of the bill, and I ask unanimous consent that it be printed in the RECORD.

The SPEAKER. By unanimous consent, this matter will come up as unfinished business to-morrow.

Mr. SIMS. And I ask unanimous consent that the bill as offered may be printed in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The following is the bill (H. R. 13474) as amended, which it is proposed to pass under a motion to suspend the rules:

A bill (H. R. 13474) to provide for the payment of the debt of the District of Columbia and to provide for permanent improvements, and for other purposes.

Be it enacted, etc., That from and after June 30, 1911, the Commissioners of the District of Columbia, in determining the estimates of funds available for appropriation for each succeeding fiscal year, shall first provide for and set aside from the estimated District revenues a sufficient sum to meet all estimated and fixed charges required by law to be paid wholly from said revenues, including interest at 3 per cent on the annual balance due the United States on account of advances made to the District of Columbia, and including further the sum of $300,000 as a repayment on account of said advances until the indebtedness of the District of Columbia to the United States shall be extinguished, and the annual estimates of appropriations for the expenses of the government of the District of Columbia, exclusive of the charges aforesaid and including amounts estimated or to be estimated under any general appropriation bill, shall not exceed in the aggregate a sum equal to twice the amount of the said District revenues then remaining: *Provided*, That the said commissioners shall allow for the extinguishment of the bonded debt of the District of Columbia out of the combined revenue fund by annually including in their estimates of appropriations a sum equal to the sum heretofore annually appropriated for the interest and sinking fund, namely, $975,408, until the said debt as evidenced by outstanding bonds shall be extinguished: *Provided further*, That hereafter the Commissioners of the District of Columbia shall provide in their estimates of appropriations for permanent works of improvement a sum not less than $1,230,000, beginnig with the fiscal year ending June 30, 1913, and annually thereafter an amount not less than the same sum increased by the sum of $100,000 for each succeeding fiscal year until and including the fiscal year to end June 30, 1924, and said estimates for permanent improvements shall include the reclamation of the Anacostia flats above the Navy Yard Bridge and their conversion into a park or parks, the gradual extension of the park system of the District, the construction of buildings on lands now authorized to be acquired for such purposes, the construction of public wharves, the extensions of trunk water and sewer mains into the suburban portions of the District, the elimination of dangerous grade crossings, and such other permanent public works as may be authorized by Congress from time to time.

BILLS SENT TO THE PRESIDENT.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10430. An act to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida;

H. R. 23015. An act to protect the dignity and honor of the uniform of the United States;

H. R. 24153. An act for the relief of John Marshall; and

H. R. 32440. An act authorizing the Moline, East Moline & Watertown Railway Co. to construct, maintain, and operate a bridge and approaches thereto across the south branch of the Mississippi River from a point in the village of Watertown, Rock Island County, Ill., to the island known as Campbells Island.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed, without amendment, the following bills:

H. R. 5453. An act for the relief of the legal representatives of M. N. Swofford, deceased;

H. R. 10430. An act to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida;

H. R. 26606. An act for the relief of Charles A. Caswell;

H. R. 28215. An act to fix the time of holding the circuit and district courts for the northern district of West Virginia; and

H. R. 32440. An act authorizing the Moline, East Moline & Watertown Railway Co. to construct, maintain, and operate a bridge and approaches thereto across the south branch of the Mississippi River from a point in the village of Watertown, Rock Island County, Ill., to the island known as Campbells Island.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 10792. An act to promote the erection of a memorial in conjunction with a Perry's victory centennial celebration on Put in Bay Island during the year 1913 in commemoration of the one hundredth anniversary of the Battle of Lake Erie and the northwestern campaign of Gen. William Henry Harrison in the War of 1812; and

S. 10882. An act to authorize the county of Ouachita, in the State of Arkansas, to construct a bridge across the Ouachita River.

The message also announced that the Senate had passed the following bills, with amendments, in which the concurrence of the House of Representatives was requested:

H. R. 18014. An act to amend section 996 of the Revised Statutes of the United States, as amended by the act of February 19, 1897;

H. R. 32344. An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest; and

H. R. 30570. An act to authorize the receipt of certified checks drawn on national banks for duties on imports and internal taxes, and for other purposes.

Also, that the Senate had passed the following resolutions:

Senate resolution 372.

Resolved, That the Senate expresses its profound sorrow on account of the death of the Hon. CHARLES QUINCY TIRRELL, late a Member of the House of Representatives from the State of Massachusetts.

Resolved, That the business of the Senate be now suspended in order that fitting tributes may be paid his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Senate resolution 371.

Resolved, That the Senate expresses its profound sorrow on account of the death of the Hon. WILLIAM C. LOVERING, late a Member of the House of Representatives from the State of Massachusetts.

Resolved, That the business of the Senate be now suspended in order that fitting tributes may be paid his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of Mr. LOVERING and Mr. TIRRELL, the Senate do now adjourn.

Also that the Senate had passed the following resolution (S. Res. 373):

Resolved, That the Secretary be requested to inform the House of Representatives that the enrolled Senate joint resolution (S. J. Res. 145) providing for the filling of a vacancy which will occur on March 1, 1911, in the board of regents of the Smithsonian Institution of the class other than Members of Congress is now and was in the possession of the House when the House requested its return on the 24th of February, having been delivered to the House on the 23d of February, signed by the Speaker.

A further message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 18512. An act for the relief of S. H. Robinson, of Allegheny County, Pa.; and

H. R. 26656. An act to prevent the disclosure of national-defense secrets.

Also that the Senate had passed the following order:

Ordered, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the engrossed copy of the joint resolution (S. J. Res. 145) providing for the filling of a vacancy which will occur on March 1, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

Also that the Senate had passed the following concurrent resolution (S. Con. Res. 41):

Resolved by the Senate (the House of Representatives concurring), That 5,000 additional copies of Senate Document No. 725, Sixty-first Congress, third session, be printed, 3,000 for the use of the House of Representatives and 2,000 for the use of the Senate.

The message also announced that the Senate further insisted upon its amendments to the bill (H. R. 31856) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1912, and for other purposes, disagreed to by the House of Representatives, and agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. CURTIS, and Mr. TILLMAN as conferees on the part of the Senate.

The message also announced that the Senate further insisted upon its amendments to the bill (H. R. 28406) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1912, Nos. 48, 76, and 82, disagreed to by the House of Representatives, and asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate, Mr. CLAPP, Mr. MCCUMBER, and Mr. STONE.

SENATE CONCURRENT RESOLUTION REFERRED.

The following concurrent resolution (S. Con. Res. 41) of the Senate was taken from the Speaker's table and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That 5,000 additional copies of Senate document 725, Sixty-first Congress, third session, be printed, 3,000 copies for the use of the House of Representatives and 2,000 copies for the use of the Senate.

ENROLLED BILLS SIGNED.

Mr. WILSON, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 32440. An act authorizing the Moline, East Moline & Watertown Railway Co. to construct, maintain, and operate a bridge and approaches thereto across the south branch of the Mississippi River from a point in the village of Watertown, Rock Island County, Ill., to the island known as Campbells Island;

H. R. 24153. An act for the relief of John Marshall;

H. R. 23015. An act to protect the dignity and honor of the uniform of the United States;

H. R. 10430. An act to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida;

H. R. 26606. An act for the relief of Charles A. Caswell; and

H. R. 5453. An act for the relief of the legal representatives of M. N. Swofford, deceased.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 28406) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1912.

JOHN B. HENDERSON, JR.

Mr. DALZELL. Mr. Speaker, a few days ago the House sent a message to the Senate asking for the return of Senate joint resolution 145. It is on the Speaker's table, and I ask that it be taken from the table.

The SPEAKER laid before the House from the Speaker's table S. J. Res. 145, providing for the filling of a vacancy which will occur March 1, 1911, in the Board of Regents for the Smithsonian Institution of a class other than Members of Congress.

Mr. DALZELL. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Amend by striking out, in line 8, the word "Virginia" and inserting in lieu thereof the words "the city of Washington," so that the resolution will read as follows:

"*Resolved*, That the vacancy in the Board of Regents for the Smithsonian Institution of the class other than Members of Congress, which will occur on March 1, 1911, by the resignation of Hon. John B. Henderson, to take effect on that day, be filled by the appointment of John B. Henderson, jr., of the city of Washington."

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

Mr. DALZELL. Mr. Speaker, I submit the following resolution (H. Res. 1000), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives be, and hereby is, directed to cancel his signature to the enrolled joint resolution of the Senate (S. J. Res. 145), a joint resolution providing for the filling of the vacancy which will occur on March 1, 1911, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, and that the Clerk of the House be directed to return the same to the Senate and request the Senate to reenroll the said resolution.

Mr. DALZELL. Mr. Speaker, that is necessary in order to straighten out the parliamentary tangle.

The SPEAKER. The Chair suggests that the words be added "as amended."

Mr. DALZELL. Very well, I will offer that amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.) the House adjourned until to-morrow, Tuesday, February 28, 1911, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Postmaster General, transmitting schedules of papers and documents not needed for public business (H. Doc. No. 1411) was taken from the Speaker's table, referred to the Committee on Disposition of Useless Executive Papers, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the resolution of the Senate (S. J. Res. 82) directing that a portion of square No.

857 in the city of Washington, D. C., be reserved for use as an avenue and improved, reported the same without amendment, accompanied by a report (No. 2258), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the joint resolution of the House (H. J. Res. 294) filling vacancies on the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported the same without amendment, accompanied by a report (No. 2259), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEVENS of Minnesota, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 7574) for the relief of John M. Bonine, reported the same without amendment, accompanied by a report (No. 2260); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 7648) for the relief of Charles J. Smith, reported the same without amendment, accompanied by a report (No. 2261); which said bill and report were referred to the Private Calendar.

Mr. KITCHIN, from the Committee on Claims, to which was referred the bill of the Senate (S. 1031) for the relief of Jaji Bin Ydris, reported the same without amendment, accompanied by a report (No. 2262); which said bill and report were referred to the Private Calendar.

Mr. TILSON, from the Committee on Claims, to which was referred the bill of the Senate (S. 4023) for the relief of Arthur G. Fisk, reported the same without amendment, accompanied by a report (No. 2263); which said bill and report were referred to the Private Calendar.

Mr. HAWLEY, from the Committee on Claims, to which was referred the bill of the Senate (S. 9270) for the relief of Frank W. Hutchins, reported the same without amendment, accompanied by a report (No. 2264), which said bill and report were referred to the Private Calendar.

Mr. GRAHAM of Pennsylvania, from the Committee on Claims, to which was referred the bill of the Senate (S. 9954) for the relief of Lincoln C. Andrews, reported the same without amendment, accompanied by a report (No. 2265), which said bill and report were referred to the Private Calendar.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 10591) to grant certain lands to the city of Trinidad, Colo., reported the same without amendment, accompanied by a report (No. 2266), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 32956) extending the general public-land laws over the lands of the former Fort Laramie Post and wood and timber reserve; to the Committee on the Public Lands.

By Mr. WATKINS: A bill (H. R. 32958) to carry into effect the provisions of the act of Congress forming the Public Health Service by providing penalties for the pollution of the navigable streams and lakes of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: A resolution (H. Res. 999) to pay Nannie E. Williams and others salary and burial expenses of John W. Williams; to the Committee on Accounts.

By Mr. ANDREWS: A joint resolution (H. J. Res. 295) approving the constitution formed by the constitutional convention of the Territory of New Mexico; to the Committee on the Territories.

By Mr. REEDER: A memorial of the Legislature of Kansas protesting against the discontinuance of United States pension agencies; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. ANDERSON: A bill (H. R. 32959) granting an increase of pension to Joseph A. Beach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32960) granting an increase of pension to Elisha L. Larowe; to the Committee on Pensions.

By Mr. ANDREWS: A bill (H. R. 32961) granting an increase of pension to Eveline H. Crichton; to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 32962) granting an increase of pension to John J. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32963) granting an increase of pension to Helen E. Sturtevant; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 32964) granting a pension to Roseannah Martin; to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 32965) granting an increase of pension to J. D. Adkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32966) granting an increase of pension to C. Milstead; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 32967) granting an increase of pension to John Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32968) granting an increase of pension to Sarah N. Raulerson; to the Committee on Pensions.

Also, a bill (H. R. 32969) granting an increase of pension to John Bryant; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of mass meeting held at Faneuil Hall, Boston, Mass., praying that Congress take action in favor of the annexation of Crete to Greece; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Washington, praying for an extension of time for desert-land entries; to the Committee on the Public Lands.

Also, petition of Municipal Council of Iloilo, of the Philippine Islands, protesting against certain statements made by Secretary Dean C. Worcester; to the Committee on Insular Affairs.

Also, petition of Eureka Grange, of Mapleton, Me., protesting against the passage of the trade agreement with Canada; to the Committee on Ways and Means.

Also, petition of C. F. Frey and four other farmers, protesting against the ratification of the trade agreement with Canada; to the Committee on Ways and Means.

Also, petition of Milk Producers' Association of Illinois, Wisconsin, and Indiana, protesting against the ratification of the trade agreement with Canada; to the Committee on Ways and Means.

Also, memorial of Legislature of Massachusetts, praying for the ratification of the Canadian trade agreement; to the Committee on Ways and Means.

Also, petition of Purchase Quarterly Meeting of the Religious Society of Friends, protesting against the fortification of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Westbury Quarterly Meeting of the Society of Friends, of New York City, protesting against the fortification of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Atwood Vanallen, of Collison, Ill., protesting against the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of L. A. Hutchison, of Paris, Ill., protesting against the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. L. B. Russell, of Hoopeston, Ill., praying for the establishment of a national health department; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Senate of the State of New York, praying for legislation to establish a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of M. Jessie Wright, of Chebanse, Ill., protesting against the establishment of a parcels post; to the Committee on the Post Office and Post Roads.

Also, petitions of O. E. Harper and 54 other citizens of Danville, Ill., and Danville Trades and Labor Council, praying that the battleship *New York* be built in a Government navy yard; to the Committee on Naval Affairs.

By Mr. ANSBERRY: Petition of Putnam County Grange, of Rimer, Ohio, against reciprocity with Canada; to the Committee on Ways and Means.

Also, petition of the National Piano Manufacturers' Association, in favor of Canadian reciprocity; to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of L. S. Miley, Harry B. Bertolette, S. Otto Troutman, C. V. Van Niman, O. D. Bruce, A. G.

Frable, M. Booth, of Shreve, Ohio, favoring the passage of the militia pay bill; to the Committee on Militia.

Also, petition of the official board of the Methodist Episcopal Church, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Monroe Grange, No. 1390, Blissfield, Ohio, against the proposed Canadian reciprocity treaty; to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Floral Grange, No. 158, North Bucksport, Me., against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of St. Albans Grange, St. Albans, Me., and Pobbossee Contee Grange, West Gardiner, Me., against Canadian reciprocity treaty; to the Committee on Ways and Means.

By Mr. CALDER: Petition of National Piano Manufacturers' Association of America, for Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of the Polish National Alliance, against further restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of New York State Pharmaceutical Association, Hudson, N. Y., against House bill 25241; to the Committee on Ways and Means.

Also, petition of Philadelphia Peace Association of Friends, for neutralization of the canal; to the Committee on Military Affairs.

By Mr. COX of Ohio: Petition of the Unity Club, against increase of postage on magazines; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the third congressional district of Ohio against Senate bill 404; to the Committee on the District of Columbia.

Also, petition of Plainview Council, Junior Order United American Mechanics, Dayton, Ohio, for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of 100 members of Vermont Grange, No. 1630, against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of citizens of Middletown, Ohio, against any parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. DALZELL: Petitions of Washington Camp No. 751, Patriotic Order Sons of America, of Jeannette, Pa.; German Carpenters' Union, No. 164, of Pittsburg, Pa.; and the Junior Order United American Mechanics of Charleroi, Pa., urging the enactment of House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. DRAPER: Petition of citizens of Salem and Hudson Falls, favoring Senate bill 3776; to the Committee on Interstate and Foreign Commerce.

Also, the petition of Sundance Commercial Club., for an appropriation for a public building for Sundance, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. MICHAEL E. DRISCOLL: Petition of Syracuse Pattern Makers' Association and Coopers' Local No. 98, of Syracuse, N. Y., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. ESCH: Petition of citizens of Appleton and Arkansaw, Wis., against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. FOSS: Petition of H. Daniels and other citizens of North Chicago, opposing any increase in postage rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Zion City Chapter of the American Woman's League, composed of over 100 women, against increase of postal rates; to the Committee on the Post Office and Post Roads.

By Mr. FORNES: Petition of Michael Collins, against increase in postage rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of National Piano Manufacturers' Association of America, favoring reciprocity with Canada; to the Committee on Ways and Means.

Also, petition of James E. March, against the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Colliers Weekly and P. V. Collins & Co., against proposed post-office bill; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of E. K. Crawford, Rockford, Ill., for the Esch bill (H. R. 30022); to the Committee on Ways and Means.

Also, petition of the National Association of Merchant Tailors of America and citizens of Shaffona, protesting against an increase of postal rates on magazines; to the Committee on the Post Office and Post Roads.

By Mr. GREENE: Petition of Joseph T. Timberley, jr., and other citizens, of New Bedford, Mass., against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of many citizens of the State of Maine; Mabel M. Hoffman and 154 members of the Fort Fairfield Grange, No. 262, Patrons of Husbandry, Aroostook County; and the Eastern Star Grange, No. 473, Patrons of Husbandry, against reciprocity with Canada; to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Petition of Milltown Grange, No. 151, Patrons of Husbandry, South River, N. J., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: Petition of the Master Laurel Grange, No. 208, and other citizens, of Washington, against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition by citizens of Minnesota, protesting against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of John Kavanagh and Michael La Londe, of Bay City, Mich., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of George A. Goddard and 12 other residents of Wolverine, Mich., for a general parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Red Oak Grange, No. 1292, Oscoda County, and Weadock Grange, No. 1145, Weadock County, Mich., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. McDERMOTT: Petition of A. C. Milburn, Chicago, Ill., for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

By McKINNEY: Petition of Maple City Chapter, American Woman's League, Monmouth Ill., against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. McMORRAN: Petitions of Elizabeth Gooderham and others, of Huron County; Charles W. Cadow and others, of Sandusky; Walte McLeod and others, of Otter Lake, Fostoria, and Columbiaville, all of the State of Michigan, protesting against Senate bill 404 and House joint resolution 17; to the Committee on the District of Columbia.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Salem, Weeping Water, Baroda, Martell, Beatrice, Nebraska City, and Lincoln, Nebr., against passage of a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. MARTIN of South Dakota: Paper relative to extension of time to homesteaders; to the Committee on Indian Affairs.

By Mr. NICHOLLS: Petition of Washington Camp No. 177, Patriotic Order Sons of America, Scranton, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. O'CONNELL: Petition of National Piano Manufacturers' Association, for Canadian reciprocity; to the Committee on Ways and Means.

By Mr. PETERS: Petition of the General Court of Massachusetts, favoring reciprocal trade relations with Canada; to the Committee on Ways and Means.

Also, petition of citizens of Massachusetts and others, favoring passage of resolution by Congress favoring annexation of Crete with Greece; to the Committee on Interstate and Foreign Commerce.

By Mr. SHEFFIELD: Petition of Pawtucket Council, Junior Order United American Mechanics, Shannock, R. I., urging passage of House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. SPARKMAN: Petition of many employees on railroads of the Atlantic coast lines, advocating higher rates for transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: Petition of Senate of the State of Minnesota, for suspension of action on the reciprocity treaty with Canada; to the Committee on Ways and Means.

By Mr. SULZER: Petition of the Sundance Commercial Club for an appropriation for a public building in Sundance; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: Petition of citizens of Denver, Colo., against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. THISTLEWOOD: Petition by Edwin Band and 460 other citizens of Cairo, Ill., favoring a Federal bureau of health; to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: Petition of the Maritime Association of New York in behalf of the bill (H. R. 32545) for the relief of Gregory Bennett; to the Committee on Interstate and Foreign Commerce.